

ORDER

Heard on IA No.1. Perused the plaint averment, IA No. 1 filed U/o 39 Rule 1 and 2 of CPC accompanying with affidavit and documents produced by the plaintiff.

This is the suit filed by the plaintiff against the defendants for partition and separate possession of 1/6th share in the suit properties and rectification of ROR.

The plaintiff has filed this IA No.1 along with the plaint seeking ad-interim ex-parte TI restraining the defendants from alienating the of suit properties till disposal of suit. The plaintiff has pleaded in the plaint that she is the younger daughter of defendant No.1 and defendant No.2 to 4 are the elder brothers and defendant No.5 is the younger brother of the plaintiff and the suit properties are the joint family properties of plaintiff and defendants and they are the joint family members and in joint possession of suit properties. The plaintiff is the daughter and she filed the suit against her mother and brothers and the suit properties were standing in the name of defendants. If the defendants are alienating the suit properties, the purpose of filing the suit will be defeated and also leads to multiplicity of proceedings. The plaintiff has made out sufficient grounds to grant ex-parte TI order at this stage. Hence I proceed to pass the following :

ORDER

The defendants are hereby restrained from alienating the suit properties till filing of written statement.

The plaintiff is hereby directed to comply order 39 Rule 3(A) of CPC.

Issue TI notice on IA No.1 and suit summons to all the defendants R/by 05-10-2020.

III-Addl, Sr. C.J. & JMFC,
Raichur.