

ORDERS ON I.A. No. I

The plaintiff counsel filed I.A.No.I U/o XXXIX rule 1 & 2 of CPC. along with affidavit and prayed for an exparte order of temporary injunction to restraining the defendant no.2 and 3 from not to alienate, by way of sale, mortgage, lease or create any encumbrance or charge over the suit schedule property till disposal of the suit as prayed in I.A.No.I.

Heard. Perused the plaint averments, application, affidavit and plaint relied documents. The plaintiff has filed the suit for the relief of partition and separate possession in respect of suit land against the defendants. The plaintiff has produced the following document. The plaintiff has produced the handwritten RTC, computerized RTC in respect of the suit property from the year 1963 till the year 2025. Previously the RTC was standing in the name of proposed as Bashwanthappa S/o Ranganna. Later on the basis of powthy the defendant no.2 and 3 got changed jointly into their name as per Mr. H1/2022/2023. The plaintiff no.1 is the first wife of deceased Hucchareddy and the plaintiff no. 2 and defendant no. 6 are the children. The defendant no. 3 is the second wife of deceased Hucchareddy. The defendant no.4 and defendant no.5 are the

children. Therefore, the plaintiffs and defendant no. 6 are having right in the suit property.

The grievance of the plaintiff is that, the defendant no.2 and 3 are trying to alienating the suit property. It may lead to Multiplicity of proceedings. In the above circumstances it is stated that, if injunction as prayed is not granted very purpose of the suit would be defeated. Hence, I proceed to pass the following:

ORDER

Issue ad-interim order of temporary injunction restrain the defendant no.2 and 3 from alienating the suit properties by way of sale mortgage, gift, lease. etc., over the suit property as sought in the I.A No.I till next date of hearing.

Plaintiff shall comply order 39 Rule 3(a) of CPC. Issue T.I order, notice on I.A. No.I to defendant no.2 and 3 and suit summons to defendant no.2 and 3.

Office is directed to issue certified copy of this order only after due compliance and payment of sufficient process fee, copy of the plaint, document and I.A.No.I for issuing process to the defendant no.2 and 3. By 04-06-2026

Sd/-
Civil Judge & JMFC,
Devadurga.