

ORDER

I have heard the counsel for plaintiff No.2/applicant on I.A.No.I under Order XXXIX Rules 1 and 2 of CPC and perused the entire records on file.

2. In the affidavit the plaintiff has stated that one Huchhegowda was the propositus and he married Lingamma and out of their wedlock 6 children were born namely Puttananjaiah, Siddalingaiah, Chikkananjaiah, Rudraiah, Siddramaiah and Channaiah and they are all demised long back. Plaintiff further stated that suit schedule properties are the ancestral and joint family properties of themselves and defendants and are in possession and enjoyment of the suit schedule properties as they are coparceners. Plaintiff further stated that they have demanded their legitimate share in the suit schedule properties, but the defendants have refused and denied the same, hence he has filed the instant suit. If this application is allowed, no much loss or injury will cause to the opponents. On the contrary, if plaintiff's application is not allowed, definitely great hardship and irreparable loss cause to the plaintiffs. Hence, the plaintiffs prays to grant exparte temporary injunction. Hence, I am of the opinion that plaintiffs have made out prima-facie case and balance of

convenience also lies in their favour, accordingly, I proceed to pass the following:-

ORDER

Issue an ad interim order of temporary injunction restraining defendants/opponents, their men, agents, servants or anybody acting on their behalf from in any way alienating, encumbering, creating charge over the suit schedule properties, pending disposal of the suit, in the interest of justice and equity till further order of this court.

The plaintiffs shall comply Order XXXIX Rule 3(A) of CPC.

Issue suit summons to the defendants and order on I.A.No.I to the defendants.

Sd/-
Senior Civil Judge & JMFC,
Gubbi.