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Order

The plaintiffs have filed the suit for Partition and separate possession of the suit schedule properties and also filed I.A. No.II U/o. 39 Rule 1 and 2 of CPC with the prayer to restrain the defendant No.1, 5 and 6 or others claiming under them from alienating the suit schedule properties in favour of any body, in any mode till the disposal of the suit.

It is the case of the plaintiffs that the suit schedule properties are ancestral and joint family properties of plaintiffs and defendant No.1 to 4 which originally belonged to plaintiffs' maternal grandfather who acquired the same from his ancestors. After his demise defendant No.1 got created Katha of the suit schedule properties in his name without the consent and knowledge of other legal heirs and have sold the suit schedule properties in favour of defendant No.5 and 6 through registered sale deeds dated:19-02-2025 and 22-02-2025 respectively. Defendant No.5 and 6 have now made applications before the concerned CMC, Sira to change katha into

their names. And hence the plaintiffs have sought for ex-parte temporary injunction.

Heard from the learned advocate for the plaintiff. In order to prove the plaintiffs' case, the plaintiffs have produced documents relating to the suit schedule properties which reveals that the suit schedule properties originally stood in the name of plaintiffs maternal grandfather. The plaintiffs have also produced the xerox copies of Aadhar card, pan card and death certificate of one Sannamma, who is the mother of plaintiffs and Aadhar card of plaintiff No.1, to show the relationship of the plaintiffs in respect of suit schedule properties. The plaintiffs have made out prima-facie case at this juncture. The xerox copies of, Sale deeds executed by defendant No.1 to 3, shows that the threat of alienation appears to be real and imminent. Further, if the property is alienated before adjudication of rights of the parties in this suit, it may lead to multiplicity of proceedings. Hence, I proceed to pass following:

Order

The defendant No.1, 5 and 6 or others claiming under them are hereby restrained by way of ad-

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interim ex-parte temporary
injunction from alienating the suit
schedule properties in favour of any
body, in any mode till the next date
of hearing.

Issue S/S, Notice and order of
this court on I.A No.II if the
plaintiffs have complied the
provision of Order XXXIX Rule 3 of
CPC. And also issue Notice on IA
No.I filed U/o 32 rule 3 of CPC to
the defendant No.1

Call on:23/04/2025

Sd/-

**Addl. Civil Judge & JMFC.,
Sira.**