

KABC010253672023



**IN THE COURT OF THE | ADDITIONAL CITY CIVIL &
SESSIONS JUDGE (CCH – 02) AT BENGALURU**

PRESENT : **Sri. B.P. DEVAMANE, LL.M.,**
I Addl. City Civil & Sessions Judge,
Bengaluru City.

Dated this the 9th day of March 2026

O.S. 6067 / 2023

PLAINTIFF : **Sri. B.L. Veerabadhre Gowda,**
S/o late Lakkanna Gowda,
Aged 87 years,
R/at No.492C, 7th Block West,
Jaya Nagara, BENGALURU – 560 082.

(By Sri. B.N. Ananthanarayana, Adv.)

- VS -

DEFENDANTS : **1. Sri. C.M. Ramanujan,**
S/o late Sri. C.M. Shyam Iyengar,
Aged about 90 years,
R/at No.2, Mills Quarters,
Malleshwara, BENGALURU – 560 003.

2. Sri. Lokesh K.,
S/o Sri. G. Kenchaiah,
Aged about 39 years,
R/at No.26/A, Papaya Garden,
4th Cross, BSK 3rd Stage,
BENGALURU – 560 085.

3. Sri. N. Venkatesh,
S/o late Nagalingaiah,
Aged about 58 years,
R/at 3rd Main Road, 2nd Cross,
Katriguppa East, BSK 3rd Stage,
BENGALURU – 560 085.

(By Sri. Venkatesh Prasad R., Adv.)

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O.S. 2816 / 2023

PLAINTIFF

: Sri. C.M. Ramanujan,
S/o late Sri. C.M. Shyam Iyengar,
Aged about 90 years,
R/at Bungalow No.2, Mills Quarters,
Malleshwara, BENGALURU – 560 003.

Rep. by his GPA Holders :

Sri. Lokesh K.,
S/o Sri. G. Kenchaiah,
Aged about 39 years,
R/at No.26/A, Papaya Garden,
4th Cross, BSK 3rd Stage,
BENGALURU – 560 085.

AND :

Sri. N. Venkatesh,
S/o late Nagalingappa,
Aged about 58 years,
R/at 3rd Main Road, 2nd Cross,
Katriguppa East, BSK 3rd Stage,
BENGALURU – 560 085.

(By Sri. Thejesh P., Adv.)

- VS -

DEFENDANTS

: 1. Sri. B.L. Veerabhadre Gowda,
S/o Sri. Lakshmana Gowda,
Aged about 80 years.

2. Sri. Suresh,
S/o Sri. S. Veerabadre Gowda,
Aged about 35 years.

Both r/at No.492-C, 7th Block,
West Jaya Nagara,
BENGALURU – 560 082.

(By Sri. B.N. Ananthanarayana, Adv.)

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**COMMON ORDER ON I.A. No.2 IN O.S.2816/2023 &
I.A. No.4 IN O.S.6067/2023**

Advocate for plaintiff in O.S.6067/2023 filed IA No.4 under Section 151 of CPC with prayer to club this suit with O.S.2816/2023.

Advocate for defendants in O.S.2816/2023 filed IA No.2 under Section 151 of CPC with prayer to club this suit with O.S.6067/2023.

2. In the affidavits supporting these IAs, it is contended that plaintiffs in O.S.2816/2023 are defendants in O.S.6067/2023. In both the suits parties are same and seeking same reliefs. Both suits are filed for the relief of injunction in respect of same property. As such, to avoid conflict in judgments and to save time of the Court, it is necessary to club the suits, record common evidence and pass common judgment.

3. Plaintiffs in O.S.2816/2023 and defendants in O.S.6067/2023 filed common objections to these IAs simply denying para-wise contents of IAs and prayed to reject IAs.

4. Heard the arguments. Perused the material on record.

5. Now the points that arise for my consideration are : -

1. Whether I.A. No.4 filed by plaintiff in O.S.6067/2023 under Section 151 of CPC deserves to be allowed ?
2. Whether I.A. No.2 filed by defendants in O.S.2816/2023 under Section 151 of CPC deserves to be allowed ?
3. What Order ?

6. My answers to the above points are as under:

Point Nos.1 & 2 : In the Affirmative

**Point No.3 : As per the final order,
for the following : -**

REASONS

7. **POINT Nos.1 & 2** : Since both these points are inter-connected with each other, they are taken up together for discussion in order to avoid repetition of facts.

O.S.2816/2023 filed in respect of site No.5 carved out of Sy.No.6/1 of Kattariguppe, Uttarahalli Hobli, Bengaluru South Taluk, stating that plaintiff purchased said property under registered sale deed dated 09.09.1971 from his vendor **Smt. Kamamma**. Defendant No.1 in O.S.2816/2023 filed O.S.6017/2023 against these plaintiffs stating that he is the owner of site No.6 formed in Sy.No.6/1 of Kattariguppe, Uttarahalli Hobli, Bengaluru South Taluk, stating that defendant No.1 purchased said property under registered sale deed dated 22.09.1971 from his vendor **Smt. Kamamma**. Both parties are claiming that they have purchased the property from common vendor. In both suits, the Court has passed order of status-quo in respect of the suit schedule property. Issues framed in both suits are common. Parties in both suits are common. Both parties are

claiming that they purchased the property from common vendor. As such, if the suits are tried separately, it would lead to conflict in judgments. On the contrary, if both suits are clubbed and common evidence is recorded, it will be easy for the Court to decide the suits effectively and may save valuable time of the Court. Under the circumstances, the Court is of the considered opinion that these IAs deserve to be allowed. Accordingly, I answer **Point Nos.1 & 2** in the **Affirmative**.

8. **POINT No.3** : In view of the aforesaid discussions, I proceed to pass the following : -

ORDER

I.A. No.4 filed by plaintiff in
O.S.6067/2023 under Section 151 of CPC is
allowed.

I.A. No.2 filed by defendants in
O.S.2816/2023 under Section 151 of CPC is
allowed.

O.S.6067/2023 is clubbed with
O.S.2816/2023.

Evidence shall be commenced in
O.S.2816/2023.

*Dictated to Senior Sheristedar (now under instructions to continue the work as Stenographer Grade I) directly on computer, computerized by him, revised, corrected by me and then pronounced in the open Court on this the **9th day of March 2026.***

(B.P. DEVAMANE)
I Addl. City Civil And
Sessions Judge (CCH-02),
Bengaluru City.