

KABC010294802025



**IN THE COURT OF THE PRINCIPAL CITY CIVIL AND  
SESSIONS JUDGE, AT BENGALURU**

Dated this the 28<sup>th</sup> day of April, 2026

**PRESENT:** Sri M. Chandrashekar Reddy,  
B.A., LL.B.  
Principal City Civil and Sessions Judge,  
Bengaluru.

**Misc. No. 1351/2025**

**Petitioners** :1. Smt. Lakshmi,  
W/o. Late Vijay Kumar K,  
Aged about 43 years  
2. Master Chandan Kumar V.  
S/o. Late Vijay Kumar K.  
Aged about 8 years

Since Petitioner No. 2 is a minor,  
represented by Natural Guardian  
Petitioner No. 1,  
Both Petitioner Nos. 1 and 2 are  
R/o. 4545, Ward No. 19,  
Neelakanta Nagar,  
Nanjangud – 571 301.

(By Sri P. Mahesh, Advocate)

Vs.

**Respondents** :1. Smt. Sonu Sivam,  
D/o. Late Krishna Rao,  
Aged about 48 years

2. Smt. Shanti K.  
D/o. Late Krishna Rao,  
Aged about 46 years

Both are R/o. No. 30,  
15<sup>th</sup> Cross, B.K. Nagar,  
Yeshwanthpur,  
Bangalore – 560 022.

(Absent)

### **ORDER**

The present petition is filed by the Petitioners under Section 24 of C.P.C. praying to transfer the suits in O.S.No. 4613/2024 pending on the file of CCH-8 and O.S. No. 6167/2024 pending before CCH-2 to one Court for its disposal in accordance with law.

2. After filing of this petition, notice of the same is issued to Respondent Nos.1 and 2. In spite of the same, Respondent Nos. 1 and 2 have remained absent.

3. Heard learned counsel for the Petitioners.

4. On the basis of the above narrated facts, following points arise for determination of Court.

1. Whether the Petitioners are entitled for the relief as prayed in the petition?

2. What Order ?

5. My findings on the above points are as under;

Point No.1 : In the Affirmative;

Point No.2 : As per final order,  
for the following;

### **REASONS**

6. **Point No.1:** The Petitioners has filed the present petition under Section 24 of C.P.C. praying to O.S.No. 4613/2024 pending on the file of CCH-8 and O.S. No. 6167/2024 pending before CCH-2 to one Court.

7. It is the case of the Petitioners that that Petitioner No.1 is the legally wedded wife and Petitioner No.2 is the son of late Vijayakumar K. The Petitioners have instituted a suit in O.S. No.4613/2024 seeking partition and separate possession of their 1/3rd share in the suit schedule property against the Respondents, who are the sisters of late Vijayakumar K and the said suit is pending before CCH-8. It is further submitted that the Respondents have also

instituted O.S. No.6167/2024 seeking declaration of their entitlement to 1/2 share in respect of the very same suit schedule property, which is pending before CCH-2. According to the Petitioners, the parties in both suits are substantially the same and the disputes relate to the same property and inter-connected questions concerning the respective shares of the parties therein. It is contended that since both suits are pending before different Courts, there is a likelihood of conflicting judgments. Therefore, the Petitioners seek transfer of one of the suits to the Court where the other suit is pending, so that both matters may be tried and disposed of together. Hence, it is prayed to allow the petition as prayed for.

8. The material on record discloses that O.S. No.4613/2024 has been instituted by the Petitioners seeking partition and separate possession of their alleged 1/3rd share in the suit schedule property. It is also evident that the Respondents have instituted O.S. No.6167/2024 seeking declaration of their entitlement to 1/2 share in respect of the very same property. The parties to both suits are

substantially the same and the issues involved in both proceedings are closely interlinked, as determination of the rights and shares claimed by the parties in one suit would have a direct bearing on the adjudication of the other suit.

9. Though notice of the petition has been served, the Respondents have not chosen to file any objections opposing the relief sought by the Petitioners.

10. Since both suits pertain to the same property and involve common questions of fact and law regarding the entitlement and shares of the parties, separate trials before different Courts may result in duplication of evidence and may also give rise to conflicting findings and judgments. In order to avoid multiplicity of proceedings and to secure an effective and comprehensive adjudication of the disputes between the parties, it is just and proper that both suits are tried by one and the same Court. Accordingly, this Court is of the opinion that sufficient grounds are made out for allowing the petition and transferring one of the suits to the Court where the other suit is pending for joint trial and disposal in

accordance with law. Accordingly, Point No. 1 is answered in the **Affirmative**.

11. **Point No.2:** In the result, this Court proceed to pass the following;

**ORDER**

The petition filed by the Petitioners under Section 24 of C.P.C., is hereby allowed.

O.S.No. 6167/2024 pending on the file of CCH-2 is ordered to be withdrawn and transferred to CCH-8, where O.S.No.4613/2024 is pending for disposal of the same in accordance with law.

Send a copy of the Order to concerned Courts for information and necessary further action.

(Dictated to the Stenographer Grade-II directly on the computer, typed by her, then corrected and pronounced by me in the Open Court on this the 28<sup>th</sup> day of April, 2026).

**(M. Chandrashekar Reddy)**  
Principal City Civil & Sessions Judge,  
Bengaluru.