

KAMS400004752021



**IN THE COURT OF THE SENIOR CIVIL JUDGE & JMFC
AT K.R.NAGAR**

PRESENT: Sri. Aravindra B.C., *B.A., L.L.B.*,
Senior Civil Judge & JMFC,
K.R.Nagar.

Dated this the 16th day of December, 2025

O.S. No.46/2021

Plaintiff : Smt. H.K.Suprabah

-Versus-

Defendants : Sri. T.S.Guruprasad and others

Parties to I.A.No.XVI to XVIII

Applicant : Smt. H.K.Suprabha,
W/o R.P.Vijaykumar,
Aged about 62 years,
R/at: #3, V.J. Apartment,
Flat No.104, 6th cross,
R.K.Layout, Padmanabha
Nagar, Bengaluru-70.

..... Plaintiff

(By Sri. H.S.D., Adv.)



-V/s-

- Opponents** :
1. Sri. T.S.Guruprasad,
S/o A.T.Siddegowda,
Aged about 35 years.
 2. Sri. S.M.Nataraju,
S/o M.Mayanna,
Aged about 39 years,
R/at: Sathigrama village,
Kasaba Hobli,
K.R.Nagar Taluk.
 3. Sri. A.T.Siddegowda,
S/o Late Thammegowda,
Aged about 68 years.
 4. Smt. Prema,
W/o A.T.Siddegowda,
Aged about 62 years.
 5. Smt. Kamakshi,
W/o T.S.Guruprasad,
Aged about 34 years.
Opponent No.1, 3 to 5 are
R/at: Chowkahalli village,
Kasaba Hobli,
K.R.Nagar Taluk.
 6. The Chief Secretary,
State of Karnataka,
 7. The Chief Executive officer,
Zilla Panchayath, Mysuru.
 8. The Executive officer,
Taluk Panchayath,
K.R.Nagar.



9. The Panchayath Development
Officer, Gramapanchayath
Dornahalli-Doddekoppalu,
K.R.Ngar Taluk.

..... Defendants

(D1, 3 to 5 by Sri. K.R.C., Adv.)
(D2 by Sri. K.P.M., Adv.)
(D6 A.G.P.)
(D7 to 9 by Sri. T.G., Adv.)

Provision under which the application is filed	Under Section 151 of CPC, Under Order 18 Rule 17 R/w Section 151 of CPC and Under Order 7 Rule 14 R/w Section 151 of CPC.
Relief Sought For	Seeking permission to reopen the case, to recall the PW-1 and to produce the documents
The date on which the application is filed	13.08.2025
Number of the application	IA No.XVI to XVIII
The date on which the objection is filed by the different opponents	24.09.2025
The date on which the order was passed on the said application	16.12.2025

**ORDER ON IA.No.XVI to XVIII**

The plaintiff has filed the I.A.No.XVI under Section 151 of CPC for reopen the case, the IA No.XVII filed under Order 18 Rule 17 R/w Section 151 of CPC and the IA No.XVIII under Order 7 Rule 14 R/w Section 151 of CPC for production of documents with leave of the court.

2. In the affidavits, which enclosed to I.A.No.XVI to XVIII, wherein the plaintiff has stated that, she has filed a suit against the defendants for the relief of declaration and permanent injunction with respect to the schedule property. Further, the plaintiff has stated that she has applied for obtain the documents before concerned authority and obtain the relevant documents. The said documents are relevant to prove her case. Hence, she prays for allow the applications.



3. On the other hand, the defendants have filed objection to the applications. In the objection it is stated that, the applications filed by the plaintiff are not maintainable both in law and facts. Further it is stated that, the plaintiff has not assigned any specific reason to allow the applications and with intention to drag on the proceedings of the court, she has filed the present applications. Therefore, they pray for reject the applications.

4. Heard and perused the records.

5. The following points that would arise for this court consideration is:

1. Whether the plaintiff has made out sufficient grounds to allow the applications

2. What order?

6. The findings on the above points are as follows:



Point No.1 : In the Affirmative

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

R E A S O N S

7. **Point No.1:-** It is noticed from the pleadings of the parties that, the plaintiff has filed a suit against the defendants for the relief of declaration and permanent injunction with respect to the suit schedule property. On the other hand, the defendants have appeared before this court and filed written statement. On the basis of rival claimants of the parties, this court framed necessary issues and when the case was posted for arguments, the present applications were filed.

8. The plaintiff has filed suit against the defendants for the relief of declaration on the basis of sale deeds. Further, the plaintiff has also seeking relief of declaration declaring that the sale deed executed by defendant No.1,



3 to 5 in favour of defendant No.2 dated 05.03.2014 is not binding on the plaintiff's right over the schedule property. Admittedly, the both parties have claimed same property. The plaintiff has intended to produce the certified copy of the sale deed dated 12.08.1988, 14.02.1996 and release deed dated 22.02.2022 and other documents in order to prove the case of the plaintiff. The documents produced by the plaintiff along with applications are necessary to prove the case of the plaintiff. If the applications are allowed, the defendants have got right to cross-examine to the plaintiff on the proposed documents.

9. No doubt, the present applications were filed when the matter was posted for arguments. The suit was filed in the year 2021. The plaintiff caused delay by filing these applications for that she has to compensate by way of cost to the defendants. Hence, keeping in view of the facts and circumstances of the case, the applications filed



by the counsel for plaintiff are allowed. **With these observations, this court answered Point No.1 is in the Affirmative.**

10. **Point No.2**: In view of the discussions and conclusion arrived at Point No.1, this court proceed to pass the following;

ORDER

The IA. No.XVI filed by the plaintiff under Section 151 of CPC, the IA No.XVII filed under Order 18 Rule 17 R/w Section 151 of CPC and the IA No.XVIII under Order 7 Rule 14 R/w Section 151 of CPC are allowed on cost of Rs.1,000/-.

*[Dictated to the Stenographer directly on computer, corrected and then pronounced by me in the Open Court on this the **16th day of December, 2025]***

**(ARAVINDRA B.C.)
SENIOR CIVIL JUDGE & JMFC.,
K.R.NAGAR.**