



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26<sup>TH</sup> DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO. 2453 OF 2026 (GM-CPC)

**BETWEEN:**

1. SMT KAMALAMMA  
D/O LATE NARASAMMA  
AGE ABOUT 58 YEARS,
2. SMT VEENAMMA  
D/O LATE NARASAMMA  
AGE ABOUT 56 YEARS,
3. SRI HARISH  
S/O LATE NARASAMMA  
AGE ABOUT 54 YEARS,
4. SMT NAGARATHNA  
D/O LATE NARASAMMA  
AGE ABOUT 52 YEARS,



ALL ARE RESIDING AT  
RESIDING AT NEAR CHAMUNDESHWARI TEMPLE,  
BUDIGERE VILLAGE  
CHANNARAYAPATNA HOBLI,  
DEVANAHALLI TALUK - 562110  
BENGALURU RURAL DISTRICT.

...PETITIONERS

(BY SRI. SURESH S., ADVOCATE)



**AND:**

1. VENKATAPATHI  
AGED ABOUT 66 YEARS  
S/O LATE VENKATARAMANAPPA  
R/AT NO 43,  
4TH CROSS,  
RANGADASAPPA LAYOUT,  
BANNERUGHATTA ROAD,  
LAKKASANDRA  
BENGALURU - 560029.
2. SMT JAYAMMA  
AGE 76 YEARS  
D/O LATE DODDANARASAPPA,  
W/O LT NARAYANAPPA  
R/AT BUDIGERE VILLAGE  
CHANNARAYAPATNA HOBLI,  
DEVANAHALLI TALUK  
BENGALURU RURAL DISTRICT.

...RESPONDENTS

(BY SRI. VISWANATHA N S., ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 13.01.2026 PASSED BY THE LEARNED ADDL. CIVIL JUDGE AND JMFC DEVANAHALLI IN GRANTING TEMPORARY EX PARTE INJUNCTION VIDE ANNEX-D ON IA NO. 1 FILED UNDER ORDER XIXXX RULE 1 AND 2 READ SECTION 151 OF CPC IN OS NO. 13/2026 VIDE ANNEX-B.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

**ORAL ORDER**

In this petition, the petitioners seek the following reliefs :

*" a. Writ or certiorari or order of appropriate nature quashing the orders dated 13.01.2026, passed by the learned Addl.Civil Judge & JMFC, Devanahalli, in granting temporary ex parte injunction vide Annexure D on IA.No.1 filed under order XIXXX Rule 1 and 2 read with Section 151 CPC in O.S.No.13/2026, vide Annexure-B.*

*b. Writ or order of appropriate nature granting such other reliefs that this Hon'ble Court deems fit in the facts and circumstances of the case in the interest of justice."*

2. Heard the learned counsel appearing for the petitioners and learned counsel for respondent No.1 and perused the materials on record.

3. When the matter came up before this Court on 29.01.2026, the following interim order was passed:

*"Heard.*

*Issue emergent notice to the respondents returnable by 26.02.2026.*

*In the meanwhile, parties are directed to maintain status-quo in all respects as on today, in relation to the suit schedule properties, till the next date of hearing.*

*Liberty is reserved in favour of the respondents to seek vacation / modification of this order.*

*Office objection regarding maintainability is kept open."*



4. Learned counsel for both parties submit that, in addition to IA Nos.1 and 2 filed by the plaintiff against the defendants for temporary injunction, the defendants have also filed an application under IA No.3, filed under Order VII Rule 11(a) and 11(d) of CPC, and the trial court may be directed to advance/prepone the suit from 11.03.2026 to 04.03.2026 and consider and pass appropriate orders on all the three applications IAs.1 to 3, within a stipulated time frame and by directing that the interim order dated 29.01.2026 passed by this Court in the present petition to continue to remain in force and operate between the parties without prejudice to their rights and contentions. The joint submission is placed on record.

6. In the result, the following:

**ORDER**

- i) Petition is hereby ***disposed of***.
- ii) The trial Court before whom O.S.No.13/2026 is pending, is directed to prepone/advance the suit from 11.03.2026 to **04.03.2026**.
- iii) Liberty is reserved in favour of both sides to seek preponement/advancement of the suit from 11.03.2026 to 04.03.2026.
- iv) Upon preponement/advancement of the suit from 11.03.2026 to 04.03.2026, the petitioners are thereby directed to file written statement,



objections, documents etc., in the suit on 04.03.2026 without seeking adjournment under any circumstances whatsoever.

- v) Immediately upon advancement as stated supra, the trial Court shall consider and pass appropriate orders on IA Nos.1 to 3 on merits within a period of one month from 04.03.2026, without being influenced by the findings/observations, if any, in the present order.
- vi) It is further directed that, till disposal of IA.Nos.1 to 3 by the trial Court on merits, the interim order dated 29.01.2026, passed by this Court in the present petition, shall continue to remain in force and operate between the parties without prejudice to their rights or contentions.
- vii) All rival contentions and all aspects of the matter are kept open and no opinion is expressed on the merits/demerits of the rival contentions.

**Sd/-**  
**(S.R.KRISHNA KUMAR)**  
**JUDGE**