



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 5808 OF 2026 (GM-CPC)

BETWEEN:

MR. L.KODANDA RAMU,
S/O LATE LAKSHMINARAYANAPPA,
AGED ABOUT 55 YEARS,
RESIDING AT NO.16, SANJAY NAGAR,
TALUK OFFICE ROAD, K.R.PURAM,
BENGALURU-560036.

...PETITIONER

(BY SRI. BHARGAVA D.BHAT, ADVOCATE)

AND:

MR. B.S.VENKATESH,
S/O LATE SIDDA VENKATARAMAIAH,
AGED ABOUT 52 YEARS,
RESIDING AT COLONY,
BELAGUMBA VILLAGE,
KASABA HOBLI,
TUMKUR-572104.

...RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, 1950 PRAYING TO SET ASIDE THE ORDER DATED:07.02.2026 IN OS NO. 65/2026 ON THE FILE OF THE II ADDITIONAL SENIOR CIVIL JUDGE AND JMFC AT TUMAKURU (AS PER ANNEXURE-A) AND ETC.

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

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

Digitally signed by
DHANALAKSHMI
MURTHY

Location: HIGH
COURT OF
KARNATAKA



ORAL ORDER

1. In this writ petition, the petitioner-plaintiff has sought the following reliefs:

"a. Issue a Writ of Certiorari or any other appropriate writ or direction setting aside the Order 07.02.2026 in O.S. No. 65/2026 on the file of the II Additional Senior civil Judge & JMFC at Tumkur; (as per Annexure- A).

b. Consequentially, allow I.A No. 1/2025 in O.S. No. 65/2026 on the file of the II Additional Senior Civil Judge & JMFC at Tumkur; (as per Annexure- C).

c. For costs;

d. For any other relief deemed fit in the facts and circumstances of the above case."

2. For the sake of convenience, the parties are referred to as per their ranking before the II Additional Senior Civil Judge, Tumakuru (hereinafter referred to as 'Trial Court' for short) in the Original Suit.

3. The learned counsel for the petitioner-plaintiff has submitted that the petitioner-plaintiff filed a suit in O.S.No.65/2026 before the Trial Court seeking the relief of declaration. Along with the plaint, the plaintiff also filed



I.A.No.I under Order XXXIX Rules 1 and 2 of the CPC seeking grant of a temporary injunction restraining the defendant from putting up any further construction on the application schedule 'B' property. The Trial Court, on 07.02.2026, issued notice to the defendant and posted the matter to 20.03.2026. He further submits that on 20.03.2026, the defendant appeared and filed vakalath. However, no order has been passed on the said I.A. till date. Therefore, the present writ petition is filed seeking early disposal of the said application.

4. Since the parties are represented through their respective counsels before the Trial Court, this Court deems it appropriate to dispose of the writ petition with a direction to the Trial Court to consider and dispose of I.A.No.I, as expeditiously as possible.

5. Accordingly, the following order is passed:

ORDER

a) The writ petition is **disposed of**.



- b) The Trial Court is directed to dispose of I.A.No.I filed under Order XXXIX Rules 1 and 2 of CPC in accordance with law and as expeditiously as possible, on or before 30.04.2026.
- c) Parties are at liberty to advance their case and co-operate for early disposal of the application.

Sd/-
(H.T. NARENDRA PRASAD)
JUDGE