



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

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

WRIT PETITION NO. 7312 OF 2024 (GM-CPC)

BETWEEN:

1. SRI D A SRINIVAS
S/O LATE D K AUDIKESAVULU
AGED ABOUT 50 YEARS
R/AT N.7/21, 1ST CROSS
9TH MAIN ROAD, RMV EXTENSION
BENGALURU 560080.
2. SMT D A THEJESWARI
W/O SRI K M SRINIVASA MURTHY
AGED ABOUT 54 YEARS
R/AT NO.05/25, 3RD CROSS
JAYANAGAR I BLOCK, BENGALURU 560011.
3. SMT D A KALPAJA
W/O SRI R PREMCHANDRES
AGED ABOUT 52 YEARS
R/AT NO.7/21, 1ST CROSS
9TH MAIN ROAD, RMV EXTENSION
BENGALURU-560080.

Digitally signed by
DHANALAKSHMI
MURTHY
Location: HIGH
COURT OF
KARNATAKA

...PETITIONERS

(BY SRI. ARJUN P K., ADVOCATE)

AND:

1. M/S RSJ MEGA HOTELS PVT LTD
A COMPANY REGISTERED UNDER
THE COMPANIES ACT 1956
HAVING REGISTERED OFFICE AT NO.3
RAJBHAVAN ROAD, BENGALURU 560001



REP BY ITS DIRECTOR
SMT REKHA R JANNU.

2. SRI RAMESH S JANNU
S/O LATE SRI SRINIVAS JANNU
AGED ABOUT 66 YEARS
RESIDING AT NO.3, RAJ BHAVAN ROAD
BENGALURU 560001.
3. SRI GUNDAPPA
S/O LATE SRI CHIKKAPILLAPPA
AGED ABOUT 50 YEARS
4. SMT LAKSHMI
W/O SRI GUNDAPPA
AGED ABOUT 46 YEARS.
5. KUM POOJA
D/O SRI GUNDAPPA
AGED ABOUT 28 YEARS.
6. SRI PUNEETH
S/O SRI GUNDAPPA
AGED ABOUT 46 YEARS
R3 TO R6 ARE REP BY GPA HOLDER
SRI RAMESH S JANNU
(RES NO.2 HEREIN).
7. SRI G MUNISWAMY
S/O LATE SRI GOVINDAPPA
AGED ABOUT 95 YEARS
8. SMT SHARADAMMA
D/O LATE SRI MUNIVENKATAPPA
AGED ABOUT 62 YEARS
9. SMT JAYAMMA
W/O LATE SRI MUNIVENKATAPPA
AGED ABOUT 91 YEARS



10. SMT JAYAMMA
W/O LATE SRI CHINNAPPA
AGED ABOUT 83 YEARS.
11. SMT SHANTHAMMA
D/O LATE SRI CHINNAPPA
AGED ABOUT 63 YEARS
12. SRI H C NAGARAJAIAH
S/O LATE SRI CHINNAPPA
AGED ABOUT 60 YEARS.
13. SMT KANTHAMMA
D/O LATE SRI CHINNAPPA
AGED ABOUT 58 YEARS
14. SMT GOWRAMMA
D/O LATE SRI CHINNAPPA
AGED ABOUT 55 YEARS.
15. SMT VENKATAMMA
D/O LATE SRI CHINNAPPA
AGED ABOUT 53 YEARS
16. SRI SRINIVASA H C
S/O LATE SRI CHINNAPPA
AGED ABOUT 51 YEARS
17. SRI RAMESH H C
S/O LATE SRI CHINNAPPA
AGED ABOUT 48 YEARS
18. SRI SHANKAR H C
S/O LATE SRI CHINNAPPA
AGED ABOUT 45 YEARS
19. SMT MUNIRATHNAMMA
D/O LATE SRI CHINNAPPA
AGED ABOUT 43 YEARS



20. SRI NAGARAJ
S/O G MUNISWAMY
AGED ABOUT 54 YEARS

21. SRI RAMESH M
S/O G MUNISWAMY
AGED ABOUT 54 YEARS

R7 TO 21 ARE R/AT HOODI VILLAGE
K R PURAM HOBLI
MAHADEVPURA POST
BENGALURU 560048.

R7 TO R21 ARE REP. BY
GPA HOLDER SRI RAMESH S JANNU
(RES NO.2 HEREIN)

22. MR R NASEER AHMED
S/O LATE ABDUL RAHEEM
AGED ABOUT 54 YEARS
REP BY GPA HOLDER
SRI RAMESH JANNU
S/O SRINIVAS S JANNU
AGED ABOUT 65 YEARS
NO.3 RAJBHAVAN ROAD
BENGALURU 560001.

23. SMT REKHA R JANNU
W/O SRI RAMESH S JANNU
AGED ABOUT 55 YEARS
R/AT NO.3 RAJBHAVAN ROAD
BENGALURU-560001.

...RESPONDENTS

(BY SRI. L M CHIDANANDAYYA, ADVOCATE FOR R1 TO R23)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION QUASHING THE IMPUGNED ORDER DATED: 19.01.24 (ANNEXURE-A) PASSED IN O.S NO. 6075/15 PASSED BY THE LXXV ADDL. CITY CIVIL AND SESSIONS JUDGE, AT



BENGALURU (CCH 76) AND THEREBY ALLOW THE APPLICATION (ANNEXURE-D) FILED BY THE PETITIONERS UNDER SECTION 151 OF THE CODE OF CIVIL PROCEDURE, 1908 IN O.S NO. 6075/2015 PENDING ON THE FILED OF THE LXXV ADDL CITY CIVIL AND SESSIONS JUDGE, AT BENGALURU (CCH 76) AND ETC.

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

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

ORAL ORDER

This writ petition is filed by plaintiff Nos. 2, 3, and 4 under Article 227 of the Constitution of India, challenging the order dated 19.01.2024 passed on an application filed under Section 151 of the CPC in O.S. No. 6075/2015 by the LXXV Additional City Civil and Sessions Judge, Bengaluru, whereby the application filed by the petitioners for clubbing O.S.Nos. 6075/2015 and 6076/2016 has been dismissed.

2. The petitioners/plaintiffs have filed a suit in O.S. No.6075/2015 for specific performance of the contract dated 18.10.2012 and have also filed O.S. No. 6076/2015 for specific performance of another contract, also dated



18.10.2012. In both suites, issues have been framed and the matters were scheduled for evidence. At this stage, the plaintiffs filed an application under Section 151 of the CPC seeking to club both suits. The said application came to be dismissed. Being aggrieved by the same, the plaintiffs are before this Court.

3. The learned counsel appearing for the plaintiffs contended that the parties in the two suits are the same, and although the agreements pertain to two different properties, the transactions arose on the same day. He further contended that there is a series of transactions between the same parties, and therefore, the trial in both suits ought to be conducted together, as the evidence required in both cases would be from the same parties and would substantially overlap. To avoid conflicting decisions, the suits should be clubbed together. In support of his contention, he relied on the judgment of the Apex Court in **STATE BANK OF INDIA VS. RANJAN CHEMICALS LTD. AND ANOTHER**, reported in **(2007) 1 SCC 97**, and the



judgment of the Delhi High Court in ***S.C. JAIN VS. BINDESHWARI DEVI***, reported in **1997 (42) DRJ 239**.

4. The learned counsel appearing for the respondents/defendants contended that although the agreements of sale were executed on the same day, they relate to two different properties. He further submitted that the parties in the two suits are different and that the causes of action are distinct. Therefore, the suits cannot be clubbed together. In support of his contention, he relied on the order passed by this Court in the case of **M/S.SAI CONSTRUCTIONS, HUBBALLI vs. M/S.MODERN INDIA LIMITED, MUMBAI** reported in **AIR Online 2021 Kar.216**.

5. Heard the learned counsel for the parties and perused the writ petition papers.

6. In O.S. No. 6075/2015, there are four plaintiffs and two defendants. In O.S. No. 6076/2015, there is one plaintiff and five defendants. In both cases, the causes of



action are different. Although the agreements of sale were executed on the same day, they pertain to two different properties. It is therefore clear that the suits are based on different causes of action relating to different properties. Since the subject matter of the suits are different, the trial court was justified in rejecting the application for clubbing the suits.

7. There is no error or illegality in the order passed by the trial Court. However, since both suits are pending before the same Court, the trial Court is directed to post both matters on the same day.

With the above observations, the writ petition stands disposed of.

In view of the disposal of the main matter, all pending applications also stand disposed of.

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

CM/LIST NO.: 1 SL NO.: 92