



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

BEFORE

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

WRIT PETITION NO. 6117 OF 2026 (GM-CPC)

BETWEEN:

1. SHRI JEETENDRA MUTHA
S/O FATEHRAJ MUTHA,
AGED ABOUT 45 YEARS,
RESIDING AT NO. 63, 3RD FLOOR,
HOSPITAL ROAD, NEAR ABHINAYA THEATRE,
CHICKPET
BENGALURU-560 053.
2. SMT. THRISHALAA MUTHA
W/O SANJAY MUTHA
AGED ABOUT 37 YEARS,
RESIDING AT NO.4,
SRIKANTESHWARA NILAYA,
1ST FLOOR, 8TH CROSS, R.T. STREET,
BVK IYENGAR ROAD CROSS, CHICKPET,
BENGALURU-560 053.
3. SHRI. SANJAY MUTHA
S/O FATEHRAJ MUTHA
AGED ABOUT 47 YEARS,
RESIDING AT NO. 4,
SRIKANTESHWARA NILAYA, 1ST FLOOR,
8TH CROSS, R.T. STREET,
BVK IYENGAR ROAD CROSS,
CHICKPET, BENGALURU - 560 053.

...PETITIONERS

(BY SRI. G. KRISHNAMURTHY, SENIOR ADVOCATE FOR
SRI. VINAY V., ADVOCATE)

AND:





1. SHRI RAMESH KUMAR
S/O LALCHAND M.,
AGED ABOUT 57 YEARS,
RESIDING AT NO.822, MADIAH ROAD,
BANGARPET, BENGALURU - 563 114.
2. SMT. HEMALATHA KOTHARI
W/O LALITH,
AGED ABOUT 42 YEARS,
RESIDING AT NO. 503,
5TH FOOR, PUSHPANJALI APARTMENT,
1ST MAIN, 1ST CROSS, NEAR TCM ROYAN CIRCLE,
CHAMARAJPET,
BENGALURU-560 018.
3. SHRI RAKESH M.
S/O MANGILAL,
AGED ABOUT 48 YEARS,
RESIDING AT NO. 218,
JIAN TEMPLE STREET CANTONMENT, SHIVAJINAGAR,
BENGALURU-560 051.
4. SMT MAHALAXMAMMA.
W/O LATE. D. KANTHARAJU,
AGED ABOUT 69 YEARS,
RESIDING AT NO.45, SREE COMPLEX
KAVI LASMEESHA ROAD,
SAJJAN ROA CIRCLE, V.V. PURAM
BENGALURU - 560 004.
5. SMT PADMAVATHI
D/O LATE. D. KANTHARAJU,
AGED ABOUT 52 YEARS,
RESIDING AT CHIKKA
DEVANGA BEEDI ANEKALTALUK,
BENGALURU RURAL DISTRICT-562106.
6. SHRI. THIMMARAJU @ K.THIMMARAYAPPA
S/O LATE. D. KANTHARAJU,
AGED ABOUT 52 YEARS,
RESIDING AT NO.45,
SREE COMPLEX KAVI LASMEESHA ROAD,



SAJJAN ROA CIRCLE, V.V. PURAM
BENGALURU-560 004.

7. SHRI. K. VENKATESH
S/O LATE. D. KANTHARAJU,
AGED ABOUT 47 YEARS,
RESIDING AT NO.45, SREE COMPLEX
KAVI LASMEESHA ROAD, SAJJAN ROA CIRCLE,
V.V. PURAM, BENGALURU-560 004.
8. SMT. BHAGYALAXMI
D/O LATE. D. KANTHARAJU,
AGED ABOUT 42 YEARS,
RESIDING AT WARD NO.11, HOSUR BAGILU,
POPORAMMANA GALLI, ANEKAL TALUK,
BENGALURU RURAL DISTRICT-562106.
9. SMT YASHODAMMA.R.
W/O LATE. L. HONNAPPA,
AGED ABOUT 61 YEARS,
RESIDING AT NO.6/1, 1ST FLOOR, 3RD CROSS,
4TH MAIN, S.R.NAGAR,
BENGALURU-560 027.
10. SHRI H. RAVI KUMAR.
S/O LATE. L. HONNAPPA,
AGED ABOUT 37 YEARS,
RESIDING AT NO.6/11ST FLOOR,
3RD CROSS, 4TH MAIN, S.R.NAGAR,
BENGALURU 560 027.
11. SHRI H. GIRISH KUMAR
S/O LATE. L. HONNAPPA,
AGED ABOUT 35 YEARS,
RESIDING AT NO.6/11ST FLOOR,
3RD CROSS, 4TH MAIN, S.R.NAGAR,
BENGALURU-560 027.
12. SHRI VIJAYALAKMI.
W/O. L. VASANTHA KUMAR,
AGED ABOUT 40 YEARS,
RESIDING AT RAMA REDDY
BUILDING NEAR SARASWATHY VIDYANIKETHAN,



DOMMASANDRA, SARAJAPURA ROAD,
BENGALURU - 560 027.

13. SHRI L. ANANTHA KUMAR.
S/O LATE YASODAMMA,
AGED ABOUT 53 YEARS,
RESIDING AT NO.6/1, 1ST FLOOR,
3RD CROSS, 4TH MAIN,
S.R.NAGAR, BENGALURU-560 027.
14. SMT. PRAVATHAMMA @ PADMA L.
D/O LATE YASODAMMA,
W/O T. MURTHY
AGED ABOUT 65 YEARS,
RESIDING AT NO.68, 27TH CROSS,
CUBBONPET MAIN ROAD,
BENGALURU - 560 002.
15. SMT HEMAVATHI
D/O LATE YASODAMMA,
W/O T. LOKESH
AGED ABOUT 59 YEARS,
RESIDING AT NO.442, 1ST CROSS,
WEAVERS COLONY, GOTTIGERE POST,
BANNEGhatta ROAD,
BENGALURU - 560 083.
16. SMT. G. VISHALAKASHI
D/O LATE JAYAMMA,
W/O HANUMANTHARAJU
AGED ABOUT 57 YEARS,
RESIDING AT NO.27, 20TH CROSS,
CUBBONPET, BENGALURU - 560 002.
17. SMT. G. DAKSHAYINI @ ROOPA
D/O LATE JAYAMMA,
W/O NARAYANA
AGED ABOUT 53 YEARS,
RESIDING AT NO.8/2, 26TH CROSS,
KILARI ROAD, BENGALURU - 560 002.
18. SMT. MAMATHA KUSHALA
D/O LATE JAYAMMA,



W/O R KUSHAL
AGED ABOUT 50 YEARS,
RESIDING AT NO.10/1, 7TH MAIN,
AZAD NAGAR, BENGALURU-560 018.

19. SMT. G. KAMALA.
D/O LATE JAYAMMA,
W/O. R. NAGENDRA KUMAR
AGED ABOUT 46 YEARS,
RESIDING AT MUDDAMA ARASAPPA NILYA,
NEAR MILK DIARY, DOMMASANDRA POST
BENGALURU-560 0 23.
20. SMT. G. JAYANTHI
D/O LATE JAYAMMA,
W/O N. LOKESH
AGED ABOUT 34 YEARS,
RESIDING AT: 7/1, 8TH B CROSS,
MAGADI ROAD, BENGALURU-560 002.
21. SHRI P. RANGARAJU
S/O LATE G. PILLANNA
AND PARVATHAMMA,
AGED ABOUT 66 YEARS,
RESIDING AT NO.13, K.R SHETTEYPET,
PAPPANNA LANE, CUBBONPET,
BENGALURU-560 002.
22. SMT. RADHA
W/O. LATE. P. BANASHANKAR,
DAUGHTER IN LAW OF
LATE G. PILLANNA AND PARVATHAMMA,
AGED ABOUT 53 YEARS,
RESIDING AT NO.13,
K.R SHETTEYPET, PAPPANNA LANE,
CUBBONPET, BENGALURU-560 002.
23. CHETANARAJ. B.
S/O. LATE. P. BANASHANKAR,
GRANDSON OF G. PILLANNA AND PARVATHAMMA,
AGED ABOUT 17 YEARS,
RESIDING AT NO.13, K.R SHETTEYPET,
PAPPANNA LANE, CUBBONPET,



BENGALURU-560 002
(REPRESENTED BY GUARDIAN)

24. SHRI CHIRANJEEVI. B.
S/O. LATE. P. BANASHANKAR,
GRANDSON OF G. PILLANNA AND PARVATHAMMA,
AGED ABOUT 14 YEARS,
RESIDING AT NO.13, K.R SHETTEYPET,
PAPPANNA LANE, CUBBONPET,
BENGALURU - 560 002
(REPRESENTED BY GUARDIAN).
25. SHRI P. RAVIKUMAR.
S/O LATE G. PILLANNA AND PARVATHAMMA,
AGED ABOUT 55 YEARS,
RESIDING AT NO.16,
2ND CROSS, 5TH MAIN ROAD,
SAMPANGIRAMNAGAR
BENGALURU - 560 027.
26. SMT. P. BHARATHI
D/O LATE G. PILLANNA AND PARVATHAMMA,
AGED ABOUT 61 YEARS,
RESIDING AT NO.104,
BEHIND HOTEL LUCIYA, S.P ROAD,
BENGALURU - 560 002.
27. SHRI GAYATHRI
W/O K.G. JAYASHEELAN (JAYANNA),
D/O. LATE G. PILLANNA AND PARVATHAMMA,
AGED ABOUT 59 YEARS,
RESIDING AT: TUMKUR ROAD
1ST BLOCK MARUTHI NAGAR KUDUR,
RAMANAGAR-561 101.
28. SMT P. JAYALAXMI
W/O. MAHESH R
D/O. LATE G. PILLANNA AND PARVATHAMMA,
AGED ABOUT 47 YEARS,
RESIDING AT NO.3, 26TH CROSS, OPP TO SRIRAM
NURSING HOME, CUBBONPET,
BENGALURU-560002.



29. SHRI HEMALATHA B.S.
W/O. B.R SHIVAKUMAR
AGED ABOUT 55 YEARS,
RESIDING AT NO.12, K.R SHETTEYPET,
PAPPANNA LANE, CUBBONPET,
BENGALURU-560 002.
30. SHRI NAGARATNA C.
W/O. DHANAJAYA. R
AGED ABOUT 53 YEARS,
RESIDING AT 6/1, 13TH CROSS,
CUBBONPET, BENGALURU-560 002.
31. SHRI SRINIVASA C.
S/O. LATE SARASWATAMMA
AND CHANDRAPPA V
AGED ABOUT 52 YEARS,
RESIDING AT NO.3/1, 25TH CROSS,
KILARI ROAD, CHICKPET,
BENGALURU - 560 053.
32. SMT USHA MANJUNATH
W/O. MANJUNATH
AGED ABOUT 41 YEARS,
RESIDING AT NO.12, 8TH MAIN ROAD,
LALBHAG SIDDAPURA GUTTE PLAYA,
JAYANAGRA 1ST BLOCK,
BENGALURU - 560 002.

...RESPONDENTS

THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, 1950 PRAYING TO QUASH AND SET ASIDE THE ORDER DATED 31.01.2026 PASSE IN OS NO. 1343/2023 AND ALL FURTHER PROCEEDINGS PENDING ON THE FILE OF THE LEARNED VI ADDL. CITY CIVIL AND SESSIONS JUDGE BENGALURU (CCH-11) (PRODUCED VIDE ANNEXURE-A) AND CONSEQUENTLY DISMISS THE IA DATED 31.01.2026 FILED BY THE RESPONDENT NOS.1-3 (PRODUCED VIDE ANNEXURE-F).

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



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

ORAL ORDER

In this petition, petitioner seeks the following reliefs:

- “a) Issue a writ or any order in nature of certiorari to quash and set- aside the order dated 31.01.2026 passed in O.S. No.1343/2023 and all further proceedings pending on the file of the Learned VI Additional City Civil & Sessions Judge, Bengaluru (CCH-11) (produced vide Annexure 'A'); and consequently dismiss the IA dated 31.01.2026 filed by the Respondent Nos.1-3 (produced vide Annexure 'F'); and*
- b) Pass such other order(s) that this Hon'ble Court deems fit, in the interest of justice & equity.”*

2. Heard learned Senior Counsel for the petitioners and perused the material on record. For the order proposed, notice to respondents is dispensed with.

3. In addition to reiterating the various contentions urged in the petition and referring to the material on record, learned Senior Counsel for the petitioner submits that though the petitioners – defendant Nos.30, 31 and 32 had filed written



statement along with objections to I.A.Nos.1/2023 and 2/23 filed by the plaintiffs for Temporary Injunction, without considering or disposing of the said applications on merits, the trial Court has directed the petitioners not to alienate the suit property until further orders and as such, petitioners are before this Court by way of the present petition.

4. A perusal of the material on record will indicate that the applications I.A.Nos.1/2023 and 2/2023 filed by the respondents - plaintiffs to which the petitioners have filed objections, have not been disposed of by the trial Court and are pending consideration even as on today. Under these circumstances, without expressing any opinion on the merits/demerits of the rival contentions, I deem it just and appropriate to dispose of this petition by issuing certain directions. In the result, I pass the following:

ORDER

- i) The petition is hereby disposed of.
- ii) The Trial Court is consider and pass appropriate orders on I.A.Nos.1/2023 and 2/2023 after hearing both sides on merits without being influenced by the findings or observations



recorded in the impugned order or in the present order within a period of one month from the next date of hearing, which stands posted on 28.02.2026.

iii) All rival contentions on all aspects of the matter are kept/left open and no opinion is expressed on merits/demerits of the rival contentions.

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