



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.8452 OF 2026 (GM-CPC)

BETWEEN:

1. SRI. K.N. MOHAN REDDY
S/O D. NARAYANA REDDY
AGED ABOUT 45 YEARS
R/AT KATHRIGUPPE VILLAGE
KUGUR POST, ANEKAL TALUK
BENGALURU - 562 125.

...PETITIONER

(BY SRI. SANDEEP S PATIL.,ADVOCATE)

AND:

1. SMT. CHINNAMMA
AGED ABOUT 72 YEARS
W/O LATE MALEYAPPA
2. SRI. M. MOHAN KUMAR
AGED ABOUT 54 YEARS
S/O LATE MALEYAPPA
3. SRI. M.SRINIVAS,
AGED ABOUT 52 YEARS
S/O LATE MALEYAPPA
4. SRI. SHIVAKUMAR
AGED ABOUT 25 YEARS
S/O LATE MALEYAPPA
5. SMT. SHANTHA KUMARA
AGED ABOUT 44 YEARS





D/O LATE MALEYAPPA
W/O PRAKASH

6. SRI. VIJAYABHASKAR M.,
AGED ABOUT 42 YEARS
S/O LATE MALEYAPPA

ALL ARE
R/AT RANGASWAMY STREET
YEMALURU VILLAGE AND POST
VARTHUR HOBLI
BENGALURU EAST TALUK
BENGALURU-560037.

7. SRI. M. VENKATESH
AGED ABOUT 46 YEARS
S/O LATE MALEYAPPA
YEMALURU VILLAGE AND POST
VARTHUR HOBLI
BENGALURU EAST TALUK
BENGALURU-560 037.
8. SRI. VKRSV PRASAD REDDY
S/O LATE PEDDA VENKATESHWARALU
R/AT NO.2/19/1,FOREST OFFICE ROAD
MADHAVAGAR, KAKINADA
EAST GODAVARI DISTRICT
ANDRA PRADESH-533 033.
9. M/S. SRI PANCHAJANYA INFRASTRUCTURE
PVT. LTD.,
(A COMPANY REGD. UNDER THE
INDIAN COMPANIES ACT)
REP. BY ITS M.D VKRSV PRASAD RAO
NO.2/11/1, FOREST OFFICE ROAD
MADHAVAGAR, KAKINADA
EAST GODAVARI DISTRICT,
ANDRA PRADESH - 533 033.
10. SRI. NANDA KUMAR
S/O NARASIMULU NAIDU



AGED ABOUT MAJOR
R/AT NO.401
RATHNAMAHAL SHREYAS
7TH C MAIN, JRBR LAYOUT
1ST BLOCK, KALYAN NAGAR
BENGALURU - 560 043.

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS IN DIRECTING THE TRIAL COURT TO DISPOSE OF I.A. NO.17 IN O.S NO.8391/2017 ON THE FILE OF COURT OF CITY CIVIL AND SESSIONS JUDGE AT BENGALURU (CCH-91), WITHIN A PERIOD OF ONE MONTH FROM THE DATE OF THE ORDER (PRODUCED AS ANNEXURE A) AND ETC.

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

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

ORAL ORDER

1. In this writ petition, the petitioner-defendant No.4 has sought the following reliefs:

- i) *Issue a writ of mandamus in directing the Trial Court to dispose of I.A.No.17 in O.S.No.8391/2017 on the file of Court of City Civil and Sessions Judge at Bengaluru (CCH-9) within a period of one month from the date of the order (produced at Annexure-'A') and*



ii) Issue such other writ, orders or directions as deemed fit in the circumstances of the case, in the interest of justice and equity.

2. For the sake of convenience, the parties are referred to as per their ranking before the Trial Court in Original Suit.

3. The plaintiffs filed a suit in O.S.No.8391/2017 before the Trial Court seeking relief of partition and separate possession and declaration. After issuance of suit summons, the defendant No.4 appeared and filed written statement and also filed counter-claim. The said counter-claim filed by the defendant No.4 has been treated as plaint. Thereafter, the defendant No.4 filed I.A.No.17 under Order XXXIX Rule 1 and 2 of CPC. So far, no order has been passed on I.A.No.17. The matter is being adjourned on one pretext or the other. Therefore, the present writ petition is filed seeking direction to the Trial Court for early disposal of the said application.



4. Having regard to the facts and circumstances of the case, and without expressing any opinion on the merits of the matter, this Court deems it appropriate to dispose of the writ petition with a direction to the Trial Court to dispose of the application 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.17 filed by the defendant No.4 under Order XXXIX Rule 1 and 2 of CPC in accordance with law on or before end of April 2026.
- c) Parties are directed to co-operate for early disposal of the application.

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