



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. 9272 OF 2026 (GM-CPC)

BETWEEN:

1. SMT THIMMAMMA
W/O LATE MUNIKALAI AH
AGED ABOUT 85 YEARS
2. SMT. LALITHAMMA
W/O H.N.PRAKASH
AGED ABOUT 56 YEARS
R/AT NO.20A, 7TH CROSS
MATHRU LAYOUT, YELAHANKA UPANAGARA
BENGALURU NORTH -560064.

...PETITIONERS

(BY SRI. K. VIJAYA KUMAR., ADVOCATE)

AND:

DODDAKALAI AH
SINCE DEAD BY HIS LR

1. SHUBHAGANGAMMA
W/O LATE DODDAKALAI AH
AGED ABOUT 65 YEARS
R/AT BORALINGANAPALYA
KASSABA HOBLI, KUNIGAL TALUK
TUMAKURU DISTRICT-572130.
2. LATHA
D/O LATE DODDAKALAI AH
W/O SRINIVAS
AGED ABOUT 46 YEARS
R/AT NO.23/1, 7TH MAIN
J.C. NAGAR, MAHALAKSHMIPURA
BENGALURU-560086.





3. YASHODHA
D/O. LATE DODDAKALAIHAH
W/O. CHANDRASHEKAR
AGED ABOUT 43 YEARS
R/AT SHIVANAGAR
BANGALORE-560010.
4. PUSHPA
D/O. LATE DODDAKALAIHAH
W/O. RAMU
AGED ABOUT 40 YEARS
R/AT NO.23/1, 7TH MAIN
J.C. NAGAR, MAHALAKSHMIPURA
BENGALURU-560086.

BASAVAIHAH
DEAD BY HIS LRS

5. JAYAMMA
W/O LATE BASAVAIHAH
AGED ABOUT 62 YEARS
6. SHIVARAMA
S/O. LATE BASAVAIHAH
AGED ABOUT 46 YEARS
7. RAMESH
S/O. LATE BASAVALAH
AGED ABOUT 43 YEARS
8. HEMA
D/O. LATE BASAVAIHAH
W/O. BELLI LOKESH
AGED ABOUT 40 YEARS,

R5 TO R8 ARE R/AT BELLI
SRI LAKSHMI NARASIMHA TEMPLE ROAD
6TH MAIN, SADHASHIVANAGAR
TUMKUR-562101.



LAKSHMANA
SINCE DEAD BY HIS LR'S

9. SUSHEELAMMA
W/O. LATE LAKSHMANA
AGED ABOUT 60 YEARS
10. PREMA
D/O. LATE LAKSHMANA
AGED ABOUT 38 YEARS
11. SHIVAKUMAR @ KUMARGOWDA
S/O. LATE LAKSHMANA
AGED ABOUT 34 YEARS
12. MANJUNATHA MUNIYAPPA
S/O LATE LAKSHMANA
AGED ABOUT 30 YEARS

R9 TO R12 ARE R/AT BORALINGANAPALYA
KASSABA HOBLI, KUNIGAL TALUK
TUMAKURU DISTRICT-572130.

CHIKKAKALAMMA
SINCE DEAD BY HER LR'S

13. ANUSUYAMMA
W/O LATE KRISHNAPPA
AGED ABOUT 55 YEARS
R/AT HOUSE NO.10, 9TH F MAIN ROAD
BYRESHWARANAGAR
LAND MARK OF GOVT SCHOOL
NAGARABAVI, BENGLAURU-560072.

MUNIKALAMMA
DIED WITHOUT LRS

GANGAMMA
SINCE DEAD BY HER LR'S



14. SHIVAKUMAR
S/O. LATE RANGEGOWDA
AGED ABOUT 45 YEARS
15. BETTASWAMY
S/O LATE RANGEGOWDA
AGED ABOUT 42 YEARS
16. VENUGOPAL
S/O. LATE RANGEGOWDA
AGED ABOUT 40 YEARS
17. RANGASWAMY
S/O. LATE RANGEGOWDA
AGED ABOUT 38 YEARS
18. GOPALAKRISHNA
S/O. LATE RANGEGOWDA
AGED ABOUT 35 YEARS
19. RANGALAKSHMAMMA
D/O. LATE RANGEGOWDA
AGED ABOUT 33 YEARS
R14 TO R19 ARE R/AT BOMMADIGERE VILLAGE
GUNNAGERE POST, KUNIGAL TALUK-572130.
20. SUNDARAMMA
W/O. J.V.SUBBANNA
AGED ABOUT 62 YEARS
R/AT UDAYA KRUPA, NO.463
1ST FLOOR, 8TH MAIN, 3RD STAGE
'E' CROSS, 4TH BLOCK, BASAVESHWARANAGAR
BANGALORE-560079.
21. RANGASWAMY
S/O. JAVARAPPA
AGED ABOUT 66 YEARS.
22. KRISHNARAJU
S/O. LATE MUNIKALAI AH
AGED ABOUT 55 YEARS



23. ISHWARYA
D/O. KRISHNARAJ
AGED ABOUT 18 YEARS
R21 TO 23 ARE R/AT BILIDEVALAYA VILLAGE
KASABA HOBLI, KUNIGAL TALUK-562130.
24. B.R.BASAVARAJU
S/O. LATE RANGASWAMIAH
AGED ABOUT 54 YEARS
R/AT BORALINGANAPALYA
KASABA HOBLI, KUNIGAL TALUK-572130.
25. N VENKATALAKSHMAMMA
W/O. S.C.NANJIAH
AGED ABOUT 59 YEARS
R/O KRS AGRAHARA, KUVEMPUNAGAR
OLD HEMAVATHI OFFICE
KUNIGAL TOWN, KUNIGAL-572130.
26. MOHANKUMAR
S/O. MUDLAGIRIAH @ VENKATAIAH
AGED ABOUT 33 YEARS
R/O BILIDEVALAYA VILLAGE
KASABA HOBLI, KUNIGAL TALUK-572130.

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, DIRECTING THE PRINCIPAL SENIOR CIVIL JUDGE AND JMFC, KUNIGAL, TO DISPOSE OF MISCELLANEOUS NO.02/2017 (ARISING OUT OF O.S. NO. 149/1988) EXPEDITIOUSLY AND WITHIN A TIME FRAME TO BE FIXED BY THIS HON'BLE COURT, IN ACCORDANCE WITH LAW 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 petitioners-appellants have sought the following reliefs:

"a) Issue a writ of mandamus or any other appropriate writ, order or direction, directing the Principal Senior Civil Judge & JMFC, Kunigal, to dispose of Miscellaneous No.02/2017 (arising out of O.S.No.149/1988) expeditiously and within a time frame to be fixed by this Hon'ble Court, in accordance with law'

b) Grant such other order or direction as this Hon'ble Court deems fit in the facts and 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 Civil Judge (Senior Judge), Tumakuru (hereinafter referred to as 'Trial Court' for short) in O.S.No.149/1988.

3. The learned counsel appearing for the petitioners submits that the petitioners and respondent No.9, who are the plaintiffs, had filed a suit in O.S.No.149/1988 before the Trial Court seeking the relief of partition and separate



possession. After the appearance of the defendants, the parties settled the matter by filing a compromise petition. On the basis of the said compromise petition, the suit came to be disposed of. The petitioners have challenged the same by filing a miscellaneous petition before the Principal Senior Civil Judge and JMFC, Kunigal (hereinafter referred to as the 'First Appellate Court' for short) in Misc.No.2/2017, seeking to set aside the compromise decree passed in O.S.No.149/1988 on the ground that it was obtained by fraud and misrepresentation. So far, the said miscellaneous petition has not been disposed of. Hence, the learned counsel seeks a direction to the First Appellate Court to dispose of the miscellaneous petition.

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 this writ petition with a direction to the First Appellate Court to dispose of the Misc.No.2/2017 as expeditiously as possible.



5. Accordingly, the following order is passed:

ORDER

- a) The writ petition is **disposed of**.
- b) The First Appellate Court is directed to dispose of Misc.No.2/2017, in accordance with law and as expeditiously as possible, not later than the end of the year 2026, provided there is no order of stay of the said proceedings granted by any Court of law.
- c) Parties are directed to cooperate for early disposal of the miscellaneous petition before the First Appellate Court.

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