



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.9981 OF 2025 (GM-CPC)

BETWEEN:

1. SRI. P THIPPESWAMY
S/O. LATE PAPAIAH,
AGED ABOUT 57 YEARS,
R/AT. MADAKARI NAGAR,
CHALLAKERE TOWN AND TALUK
CHITRADURGA-577 522.
2. SRI. THIPPESWAMY
S/O. LATE NINGAPPA,
AGED ABOUT 68 YEARS,
R/AT. MADAKARI NAGAR,
CHALLAKERE TOWN AND TALUK
CHITRADURGA – 577 522.
3. SRI. SHIVAMURTHY,
S/O. YAKANTHAPPA,
AGED ABOUT 62 YEARS,
R/AT GANDHINAGAR,
CHALLAKERE TOWN AND TALUK
CHITRADURGA-577 522.
4. SMT. BASAMMA
W/O. LATE. YAKANTHAPPA,
AGED ABOUT 60 YEARS,
R/AT NAYAKANAHATTI TOWN,
CHALLAKERE TOWN AND TALUK
CHITRADURGA – 577 522.
5. SMT. MALAMMA
W/O. LATE. THIMMARAJU,
AGED ABOUT 60 YEARS,
R/AT AMBADEKAR NAGAR,
CHALLAKERE TOWN AND TALUK
CHITRADURGA -577 522.





6. SMT. VASANTHAMMA
W/O. LATE THIPPESWAMY
AGED ABOUT 58 YEARS,
R/AT AMBADEKAR NAGAR,
CHALLAKERE TOWN AND TALUK
CHITRADURGA -577 522.
7. SRI. V. THIPPESWAMY
S/O. LATE EERANNA
AGED ABOUT 40 YEARS
R/AT GANDHINAGAR,
CHALLAKERE TOWN AND TALUK
CHITRADURGA – 577 522.
8. SMT. DEVEERAMMA
W/O. LATE EERANNA
AGED ABOUT 57 YEARS,
R/AT GANDHINAGAR,
CHALLAKERE TOWN AND TALUK
CHITRADURGA – 577 522.
9. SMT. CHOWDAMMA
W/O. SIDDAPPA
D/O. LATE SANNATHIMMAYYA
AGED ABOUT 68 YEARS
R/AT NAYAKANAHATTI TOWN,
CHALLAKERE TOWN AND TALUK
CHITRADURGA – 577 522.
10. SRI VEERABHADRAPPA
S/O LATE SANNATHIMMAYYA
AGED ABOUT 66 YEARS
R/AT NAYAKANAHATTI TOWN,
CHALLAKERE TOWN AND TALUK
CHITRADURGA -577 522.

...PETITIONERS

(BY SRI. GOPALA B V., ADVOCATE)

AND:

1. CHIEF MUNICIPAL COUNCIL,
BIRTH AND DEATH REGISTRATION OFFICER,
TOWN MUNICIPAL COUNCIL,
CHALLAKERE TOWN AND TALUK
CHITRADURGA – 577 522.



2. SRI. M. SHIVAMURTHY
S/O. LATE MALLAPPA
AGED ABOUT 65 YEARS,
AGRICULTURIST, KALAGANAHATTI GRAMA,
MUJERE DAVAMAMMA HALLI,
KALLAHALLI, DUDANAKURUBANAHALLI,
DAVAMANAHALLI,
CHALLAKERE TOWN AND TALUK
CHITRADURGA – 577 522.
3. SRI M. INDRESH
S/O. LATE MALLAPPA
AGED ABOUT 50 YEARS,
4. SRI. M. RAJU,
S/O. LATE MALLAPPA
AGED ABOUT 40 YEARS,
5. SMT. RATHANAMMA
W/O. GIRIYAPPA
AGED ABOUT 80 YEARS,
6. SRI. CHANDARAIAH G.,
S/O GIRIYAPPA

R-3 TO R-6 ARE
R/AT BEHIND GOVT. MIDDLE SCHOOL,
GANDHINAGAR, CHALLAKERE,
CHITRADURGA – 577 522.

...RESPONDENTS

(BY SRI. NARENDRA GOWDA, ADV. FOR R-2 TO R-6;
R-1 SERVED BUT UNREPRESENTED)

THIS W.P. IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER DTD. 19.03.2025 PASSED BY THE LEARNED PRINCIPAL CIVIL JUDGE AND JMFC, CHALLAKERE ON APPLICATION I.A.NO.2 UNDER ORDER 1 RULE 10(2) OF CPC IN CRL.MISC.1139/2024 AS PER ANNEX-D AND ALLOW THE I.A.NO.2.

THIS PETITION, COMING ON FOR *PRELIMINARY HEARING IN 'B' GROUP*, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



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

ORAL ORDER

In this petition, petitioners seek the following reliefs:

“i) Issue a writ in the nature of certiorari or any other appropriate writ, order, or direction quashing the impugned order dated 19.03.2025 passed by the learned Principal Civil Judge and JMFC, Challakere, on application I.A.No.2 under Order 1 Rule 10(2) of CPC in CrI.Misc.1139/2024 as per Annexure-‘D’ & allow the I.A.2.

ii) Issue any other writ, order or direction, which this Hon'ble Court deems fit to grant, including the cost of this proceedings, in the circumstances of the case.”

2. Learned counsel for the petitioners submits that the CrI.Misc.No.1139/2024, out of which the present petition arises has itself been disposed of as withdrawn on 16.06.2025 and the present petition has been rendered infructuous.

3. The said submission is placed on record.

4. Accordingly, the petition is hereby disposed of as having become infructuous.

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