



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 26TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL
WRIT PETITION NO.11714/2022 (GM-CPC)

BETWEEN:

SMT. MUTTAMMA
W/O LATE PUTTASWAMY
D/O LATE HOLASALEGOWDA
AGED ABOUT 62 YEARS
R/AT. VALAGEREHALLI
MADDUR TALUK
MANDYA DISTRICT-571428.

...PETITIONER

(BY SRI. SANCHAN JAINANDAN, ADV., FOR
SRI. G. BALAKRISHNA SHASTRY, ADV.,)

AND:

1. SRI. MUTHURAJU
S/O LATE HOLASALEGOWDA
AGED ABOUT 52 YEARS.
2. SMT. LAXMI
W/O MUTHURAJU
AGED ABOUT 44 YEARS.
3. KUM. POORNIMA
D/O MUTHURAJU
AGED ABOUT 23 YEARS.

ALL ARE R/O VALAGEREHALLI VILLAGE
MADDUR TALUK
MANDYA DISTRICT-571428.

...RESPONDENTS



(BY SRI. RAJA L, ADV., FOR R1 TO R3)

THIS W.P. IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR THE RECORDS IN OS.NO.445/2020 PENDING ON THE FILE OF THE PRL.CIVIL JUDGE AND JMFC, AT MADDUR AND IN MA NO.01/2022 ON THE FILE OF THE SR.CIVIL JUDGE AT MADDUR. QUASH THE FINAL ORDER DATED 22.04.2022 IN MA NO.01/2022 PASSED BY THE SR. CIVIL JUDGE AT MADDUR VIDE ANNEXURE-A AND CONSEQUENTLY MAY CONFIRM THE ORDER DATED 22.12.2021 IN OS.NO.445/2020 PASSED BY THE PRL.CIVIL JUDGE AND JMFC AT MADDUR VIDE ANNEXURE-B & ETC.

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

CORAM: HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

ORAL ORDER

This writ petition is filed to quash the order dated 22.04.2022 passed in MA.No.1/2022 by the Senior Civil Judge, Maddur and sought to confirm the order dated 22.12.2021 in O.S.No.445/2020 passed by the Principal Civil Judge & JMFC, Maddur.

2. Heard Sri.Sanchan Jainandan, learned counsel for Sri.G.Balakrishna Shastry, learned counsel for the



petitioner and Sri.Raja L., learned counsel for the respondent.

3. This petition is filed challenging the order dated 22.04.2022 passed by the Appellate Court in MA.No.1/2022, whereby the appeal filed by the defendants/respondents was allowed and the order of temporary injunction granted by the trial Court dated 22.12.2021 in OS.No.445/2020 was set aside by recording the finding that the plaintiff has failed to make out a prima facie case. It is noticed that this Court, by a detailed order dated 22.07.2022, stayed the operation of the impugned order dated 22.04.2022 passed in MA.No.1/2022. Consequently, the order of temporary injunction granted by the trial Court on 22.12.2021 in OS.No.445/2020 has remained in force. The said interim order of this Court dated 22.07.2022 is in force till this day and it is not in dispute that the suit is presently at the stage of trial.



4. In my considered view, at this stage, it is neither necessary nor appropriate to re-examine the findings with regard to prima facie case, balance of convenience and irreparable injury in favour of the plaintiff or the defendants, as the parties are seeking the relief of permanent injunction in the aforesaid suit and the matter is already under trial. I am of the view that, the interest of justice would be met, if the temporary injunction granted by the trial Court dated 22.12.2021 is kept in force till the disposal of the suit. However, it is made clear that this Court has not expressed any opinion on the merits of the case. The trial Court shall dispose of the suit on its own merits, without being influenced by the findings recorded in its earlier order dated 22.12.2021 or in the order of the Appellate Court dated 22.04.2022 passed in MA.No.1/2022.

5. For the aforementioned reasons, the writ petition is ***disposed of***, the order of the temporary



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injunction granted by trial Court on 22.12.2021 shall remain in force till disposal of the suit.

**Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE**

ABK
List No.: 1 Sl No.: 32