



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

WRIT PETITION NO. 15306 OF 2024 (GM-CPC)

BETWEEN:

SRI THAMMAIAH C
S/O LATE CHIKKANNA
AGED ABOUT 48 YEARS
R/AT NO.54/28, 7TH CROSS
NAGADEVANAHLLI VILLAGE
GNANABHARATHI POST
BANGALORE - 560 056.

...PETITIONER

(BY SRI SHRIDHARA K, ADV.)

AND:

1. SMT. JAYAMMA
D/O LATE CHIKKANNA
AGED ABOUT 47 YEARS
R/AT NAGADEVANAHALLI VILLAGE
GNANABHARATHI POST
Kengeri Hobli
BANGALORE SOUTH TALUK
BANGALORE - 560 056.
2. SRI THIMMAIAH @ THIMMARAJU
S/O LATE CHIKKANNA
AGED ABOUT 53 YEARS.
3. SMT. NAGAMMA
D/O LATE CHIKKANNA
AGED ABOUT 58 YEARS.

BOTH ARE R-2 & R-3 ARE
R/AT KACHUGALLU VILLAGE
GOLLARAHATTI
NARUGANAHALLI POST



HALAKALLU, TUMKUR - 572 122.

4. SMT. SHIVAMMA
D/O LATE CHIKKANNA
W/O SRI AJJIAH
AGED ABOUT 56 YEARS
RESIDING AT CHANDANAHOSAHALLI
VILLAGE, DABUSPETE POST
NELAMANGALA TALUK
BENGALURU RURAL DISTRICT
PIN NO. 562 111.

...RESPONDENTS

(BY SMT. SHARADA C, ADV., R-1 - ABSENT;
R-2 TO R-4 SERVED)

THIS WP IS FILED UNDER ARTICLES 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER DTD 27.04.24 PASSED BY THE XXXVIII ADDL. CITY CIVIL AND SESSIONS JUDGE (CCH-39) AT BENGALURU, IN O.S NO. 767 OF 2020 BY ALLOWING THE APPLICATION FILED BY THE PLAINTIFF UNDER ORDER XXXIX RULE 1 AND 2 DIRECTED THE PETITIONER TO MAINTAIN STATUS QUO IN RESPECT OF ITEM NO. 3 OF THE SUIT SCHEDULE PROPERTY.

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

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Defendant No.4 is before this Court in this writ petition filed under Article 227 of the Constitution of India with a prayer to set-aside the order dated 27.04.2024 passed by the Court of



XXXVIII Addl. City Civil and Sessions Judge, Bengaluru, on IA No.1/2024 in OS No.767/2020.

2. Perusal of the material on record would go to show that plaintiff has filed OS No.767/2020 before the jurisdictional Civil Court seeking relief of partition and allotment of 1/5th share in the suit schedule properties. In the said suit, plaintiff had filed IA No.1/2024 under Order XXXIX Rules 1 and 2 read with Section 151 of CPC and vide the order impugned, the Trial Court has granted an ad-interim order directing the parties to maintain status-quo in respect of Item No.3 of the suit schedule properties till the disposal of IA No.1/2024. Assailing the said order, defendant No.4 is before this Court.

3. Learned counsel for the petitioner submits that petitioner has filed objections to IA No.1/2024 and arguments have been addressed on behalf of both the parties on IA No.1/2024 and this petition may be disposed off directing the Trial Court to dispose of IA No.1/2024 within a time frame.

4. The said submission is placed on record. This writ petition is disposed off directing the Trial Court to dispose off



NC: 2025:KHC:40377
WP No. 15306 of 2024

IA No.1/2024 on its merits as expeditiously as possible but not later than a period of four weeks from the date of receipt of certified copy of this order.

SD/-
(S VISHWAJITH SHETTY)
JUDGE

DN
List No.: 1 Sl No.: 30