



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF AUGUST, 2024

BEFORE

THE HON'BLE MR JUSTICE R DEVDAS

WRIT PETITION NO. 48053 OF 2019 (GM-CPC)

BETWEEN:

SRI. THIMMAIAH
S/O VENKATARAMANAPPA
R/AT DODDABALLAPUR
BENGALURU RURAL DISTRICT.

...PETITIONER

(BY SRI. BASAVARAJU N., ADVOCATE FOR
SRI. B. RAMESH., ADVOCATE)

AND:

1. CHANNAMMA
W/O MUNIYAPPA
MAJOR IN AGOE,
2. NANJUNDAPPA
S/O JAVAREGOWDA,
MAJOR IN AGE,
3. KRISHNAMMA
W/O NARAYANASWAMY,
MAJOR IN AGE,
4. RAMAKRISHNA,
MAJOR IN AGE,
5. LAKSHMANA RAO
S/O GIRI RAO,
MAJOR IN AGE,

Digitally signed
by JUANITA
THEJESWINI
Location: HIGH
COURT OF
KARNATAKA



6. R.CHANDRASEKHAR
S/O RUDRAPPA,
MAJOR IN AGE,
7. SIDDIAIAH
S/O CHENNAMALLAIAH,
MAJOR IN AGE,
8. NAGAPPA
S/O NOT KNOWN
MAJOR IN AGE,
9. THAYAMMA
W/O KUPPASWAMPY,
10. A.K.MANI
S/O IYYAPPAN,
11. RAMA ROA
S/O GIRI RAO,
12. GOWRAMMA
W/O GANGAREVANNA,
13. VELLIYAMMA
W/O RADHAKRISHNA
14. JAGADAMBA
W/O LINGADEVARAPPA,
MAJOR IN AGE,

ALL ARE R/AT MANJUNATHNAGAR,
RAJAJINAGAR, BENGLAURU-560 010
15. THANGARAJU
S/O PERIYASWAMY,
MAJOR IN AGE,



R/AT NEAR NAVARANG THEATRE,
RAJAJINAGAR,
BENGLAURU-560 010.

16. H.P.RUDRAPPA
S/O NOT KNOWN
MAJOR IN AGE,
RAJAJINAGAR TEMPLE
PRAKASHNAGAR,
RAJAJINAGAR,
BENGLAURU-560 010.
17. GOVINDA SHETTY
MAJOR IN AGE,
R/AT RAJAJINAGAR ENTRANCE,
RAJAJINAGAR,
BENGLAURU-560 010
18. CHENNAVEERADEVARU
S/O SHIVAPPA,
MAJOR IN AGE,
R/AT III BLOCK, JAYANAGAR,
BENGLAURU-560 010.
19. H.S.SHARADAMMA
W/O MANTHAPPA
MAJOR IN AGE,
C/O BASAVARAJAPPA
OPP. TO RAJA RAJESWARINAGAR,
BENGLAURU-560 010.
20. NARAYANASWAMY
S/O MUNISWAMY
MAJOR IN AGE,
R/AT MUNIREDDYPALYA,
RT NAGAR POST,



BENGLAURU-560 032.

21. BASAVARAJAPPA
S/O PUTTABASSAPPA,
MAJOR IN AGE,
R/AT OPP. TO RAJA RAJESWARI
KALYANA MANTAP
RAJAJINAGAR,
BENGLAURU-560 010.
22. SARVAMANGALAMMA
W/O BASAVARAJAPPA
MAJOR IN AGE,
R/O OPP. TO RAJA RAJESWARI,
KALYANA MANTAPA,
RAJAJINAGAR,
BENGLAURU-560 010.
23. NAGARATHNAMMA
W/O NAGENDRA,
MAJOR IN AGE,
R/AT MAHALAKSHMI LAYOUT,
RAJAJINAGAR,
BENGLAURU-560 010.
24. HODAVATTI
S/O NOT KNOWN
MAJOR IN AGE,
R/AT BEERANGI PALYA,
RAJAJINAGAR,
BENGLAURU-560 010.
25. VENKATESH
S/O BYRAPPA
MAJOR IN AGE,
R/AT SIDDARAMA DINNE,



RAJAJINAGAR,
BENGALURU-560 010.

...RESPONDENTS

THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER DATED 11.04.2019 PASSED IN MISC.NO.331/2009 PASSED BY THE 31ST ADDITIONAL CITY CIVIL JUDGE (CCH-14) AT BENGALURU ANNEX-J AND ALLOW THE MISC. PETITION BY PERMITTING THE PETITIONER TO PROSECUTE THE SUIT BEARING OS NO.2019/1981 ON MERITS.

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

CORAM: HON'BLE MR JUSTICE R DEVDAS

ORAL ORDER

The learned counsel for the petitioner once again states that he has sent notice to the petitioner expressing his inability to continue in the matter and therefore the learned counsel should be permitted to retire from the matter.

2. On the previous date of hearing, this Court had directed that necessary arrangements shall be made to either ensure that the petitioner should appear before this



court or alternative arrangement shall be made for his appearance.

3. In the light of the fact noticed hereinabove and the repeated statement made by the learned counsel for the petitioner, this court has no other alternative option than to dismiss the writ petition itself. Accordingly, the writ petition stands ***dismissed***.

**Sd/-
(R DEVDAS)
JUDGE**

KLY
CT: JL