



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION No. 15563 OF 2025 (GM-CPC)

BETWEEN:

1. SRI. RAMAIAH,
S/O VENKATASHAMAPPA,
AGED ABOUT 62 YEARS,
RESIDENT OF GOWDANAHALLI VILLAGE,
MADHURE HOBLI,
DODDABALLAPURA TALUK-561203,
BANGALORE RURAL DISTRICT.

...PETITIONER

(BY SRI SRIHARI R. DESHPANDE, ADVOCATE)

AND:

1. SRI PUTTANNA,
S/O LATE NARAYANAPPA,
AGED ABOUT 71 YEARS,
2. SRI MUNIRAJU,
S/O KRISHNAPPA,
AGED ABOUT 37 YEARS,

RESPONDENTS 1 AND 1
RESIDENTS OF GOWDANAHALLI VILLAGE,
MADHURE HOBLI,
DODDABALLAPURA TALUK-561203,
BANGALORE RURAL DISTRICT.

...RESPONDENTS





THIS WRIT PETITION IS FILED UNDER ARTICLES 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE ORDER DATED 15/12/2023 PASSED BY THE PRINCIPAL CIVIL JUDGE AND JMFC AT DODDABALLAPURA IN O.S. No.257/22 ANNEXURE-E.

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

CORAM: HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

Heard Sri Srihari R. Deshpande, learned counsel for the petitioner.

2. The present writ petition challenges the order dated 15.12.2023 passed on I.A. in O.S. No.257/2022 on the file of the Principal Civil Judge and JMFC, Doddaballapura [trial Court], whereby police protection has been ordered for enforcement of the order of temporary injunction against the defendant-petitioner, restraining him from interfering with the peaceful possession of the plaintiffs-respondents over the suit schedule property.

3. Learned counsel for the petitioner submits that the very same property is the subject matter of another comprehensive suit. It is further submitted that the further proceedings in



O.S.No.257/2022 has been stayed in subsequent proceedings. Therefore, the grant of police protection for enforcement of an order which has already been stayed is erroneous. It is submitted that the trial Court had granted an order of injunction, and alleging its disobedience, the plaintiffs therein filed an application seeking police protection.

4. The trial Court, by order dated 15.12.2023, allowed the said application. The trial Court further held that the remedy available under Order XXXIX Rule 2A of the Code of Civil Procedure, 1908, does not bar it from granting police protection for implementation of its orders. It is thus submitted that police protection has been extended.

5. The grievance raised in the petition is that the order of injunction has been stayed in subsequent proceedings. It is submitted that further proceedings in O.S. No.257/2022 have also been stayed. It is, however, not in dispute that the order of injunction has not been challenged by the petitioner. The order staying the suit is dated 19.01.2024, whereas the order granting police protection is dated 15.12.2023. In the circumstances, the present writ petition, at this length of time,



serves no useful purpose. However, the petitioner can avail the benefit/remedy on subsequent developments.

6. With the above observations, the writ petition is not entertained and is accordingly ***disposed of.***

**Sd/-
(K. V. ARAVIND)
JUDGE**

MV
List No.: 1 SI No.: 10