



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. 16080 OF 2025 (GM-CPC)

BETWEEN:

1. SRI K.S. GURUMALLAPPA @ RAJAPPA
AGED 50 YEARS,
SON OF SRI. B. SHIVAMALLAPPA,
2. SRI. SHIVAMALLAPPA
AGED ABOUT 80 YEARS,
SON OF LATE GURUMALLAPPA,
3. SMT. NAGAMMA,
AGED 67 YEARS,
WIFE OF SRI. SHIVAMALLAPPA,



ALL ARE RESIDING AT
KUMACAHALLI VILLAGE,
HARAVE HOBLI,
PIN 571 128
CHAMARAJANAGAR TALUK.

...PETITIONERS

(BY SRI. N JAGADISH BALIGA., ADVOCATE)



AND:

SRI NAGAPPA
AGED 76 YEARS,
SON OF LATE GURUMALLAPPA
RESIDING AT KUMACAHALLI VILLAGE,
HARAVE HOBLI, PIN 571 128
CHAMARAJANAGAR TALUK.

...RESPONDENT

(BY SRI. VASANTHAPPA, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA PRAYING TO SET ASIDE ANNEXURE-A THE ORDER DTD. 24.08.2024, PASSED BY THE SENIOR CIVIL JUDGE AND CJM, CHAMARAJANAGAR IN M.A.NO. 19/2024 AND CONSEQUENTLY TO SET ASIDE ANNEX-B THE ORDER DTD. 15.06.2024, PASSED BY THE ADDITIONAL CIVIL JUDGE AND JMFC, IN O.S.NO. 159/2023 AND THEREBY DISMISS I.A.NO.I AS PRAYED FOR AND ETC.

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



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

ORAL ORDER

This petition by the defendants in O.S.No.159/2023 is directed against the impugned order dated 15.06.2024, passed by the Addl.Civil Judge & JMFC, Chamarajanagar, granting temporary injunction in favour of the respondent/plaintiff, which was confirmed by the Senior Civil Judge and CJM, Chamarajanagar, in M.A.No.19/2024, dated 24.08.2024, as well as the impugned order passed on IA No.3 for police protection filed by the respondent/plaintiff against the petitioners/defendants.

2. Heard learned counsel for the petitioners and the learned counsel for the respondent and perused the material on record.

3. Though several contentions have been urged by both sides in support of their respective claims, having regard to the material on record which discloses that the rival contentions between the parties would necessarily have to be decided only after a full-fledged trial, without expressing any opinion on the merits/demerits of the rival contentions, I deem it just and appropriate to dispose of this petition directing the trial Court to



dispose of the suit in accordance with law and on merits without being influenced by the findings and observations recorded in the order of the trial Court, as well as first Appellate Court.

4. In the result, the following:

ORDER

(i) The writ petition is ***disposed of***.

(ii) The trial Court is directed to dispose of the suit within a period of six months from the date of receipt of the copy of this order.

(iii) It is further directed that ,till disposal of the suit by the trial Court as stated supra, the interim order dated 29.01.2026 passed by this Court in the present writ petition, directing both parties to maintain *status quo* in all respects as on today in relation to the suit schedule property, shall continue to remain in force and operate between the parties till disposal of the suit by the trial Court without prejudice to the rights and contentions of the parties.



(iv) All rival contentions on all aspects of the matter are kept open and no opinion is expressed on the merits/demerits of the rival contentions.

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

BK
List No.: 1 Sl No.: 5