



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. 20931 OF 2025 (GM-CPC)

BETWEEN:

1. SRI.C.P. SATISH KUAMR,
S/O C. N. PRASANNA KUMAR,
AGED ABOUT 58 YEARS,
BUSINESSMAN, DOOR No.769,
THAIJASA, BEHIND S. K. P. TEMPLE ROAD,
GANESH PET, DAVANGERE - 577001.
2. SRI. J. V. GOPALA KRISHNA,
S/O LATE J. N. VENKATACHALAPATHY SETTY,
AGED ABOUT 72 YEARS,
BUSINESSMAN,
DOOR No.3472, GOKULA,
2ND MAIN, 6TH CROSS,
MCC EXTENTION, B BLOCK,
DAVANGERE - 577005.
3. SRI. RAJENDRA KUMAR,
S/O LATE K. VISHWANATH SETTY,
AGED ABOUT 65 YEARS,
DOOR No.3993/60/06,
VAIBHOGHA, 21ST MAIN,
KUVEMPU NAGARA,
DAVANGERE - 577005.
4. SRI. S. R. HUCHARAYAPPA,
S/O LATE RAMAPPA SHETRU,
AGED ABOUT 72 YEARS,
BUSINESSMAN,
DOOR No.1785/29, 8TH MAIN,



14TH CROSS, SIDDAVEERAPPA EXTENSION,
DAVANAGERE. - 577004.

5. SRI. A. S. RAGHUNATH,
S/O LATE A. SATYANARAYANA SETTY,
AGED ABOUT 62 YEARS,
BUSINESSMAN,
DOOR No.508/1, 5TH MAIN,
6TH CROSS, NEAR RAM AND CO CIRCLE,
P. J. EXTENSION,
DAVANAGERE-577002.
6. SRI. SATISH KUMAR RATTIHALLI,
S/O LATE KONDANDA RAMA SETTY,
AGED ABOUT 57 YEARS,
BUSINESSMAN,
DOOR No.805/2, SRI LAKSHMI NIVAS,
DEVANAG PET, DAVANGERE - 577001.
7. SRI. C. P. SHESHADRI PRASAD,
S/O LATE PARAMESHWARA GUPTA,
AGED ABOUT 62 YEARS,
BUSINESSMAN,
DOOR No.3792/13, 3RD MAIN,
5TH CROSS, S. S. LAYOUT, B BLOCK,
DAVANGERE - 577004.

...PETITIONERS

(BY SRI SUNIL KUMAR N.P. ADVOCATE FOR
SRI M.R. HIEMATHAD, ADVOCATE)

AND:

1. SRI KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,
REPRESENTED BY ITS WORKING PRESIDENT,
SRI. R. L. PRABHAKHAR,
S/O LATE LAKSHAMAN SETTY,
AGED 64 YEARS, BUSINESSMAN,
DOOR No. 571/8, SAPTHAGIRI COMPLEX,
6TH MAIN, CHURCH ROAD,



P. J. EXTENSION,
DAVANAGERE-577002.
REGISTERED UNDER CO-OPERATIVE
SOCIETIES ACT, 1959.

2. BY JOINT SECRETARY,
SRI. RAVINDRA GUPTA,
S/O LATE JANARDHANA SETTY,
AGED ABOUT 67 YEARS, BUSINESSMAN,
DOOR 116/28, BALAJI NILAYA,
KIRUVADI LAYOUT, K. B. EXTENSION,
DAVANAGERE -577002.
3. BY ITS TREASURER,
P. S. PUTTU SRINIVAS,
S/O LATE SATHYANARAYANA SETTY,
AGED ABOUT 65 YEARS, BUSINESSMAN,
DOOR No.2382/1, 10TH MAIN,
1ST CROSS, MCC 'A' BLOCK,
DAVANAGERE-577005.
4. SRI. R. S. NARAYANASWAMY,
S/ O LATE R. SUBRAMANYASETTY,
AGED ABOUT 84 YEARS,
HONORARY PRESIDENT,
SRI. KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,
DOOR No.2640, CHANDRIKA,
3RD MAIN, MCC 'B' BLOCK,
DAVANAGERE-577004.
5. SRI. R. G. NAGENDRAPRAKSH,
S/O R. V. GOPALA KRISHNA SETTY,
AGED ABOUT 74 YEARS,
HONORARY PRESIDENT,
SRI. KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,
DOOR No.2595/6, DEEPASRI,
3RD MAIN, 3RD CROSS, MCC 'A' BLOCK,
DAVANAGERE.-577005.



6. SRI. A. S SATYNARAYANA SWAMY,
S/O LATE A. B. SHANKARANARAYANA SETTY,
AGED ABOUT 62 YEARS,
DIRECTOR, SRI. KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,
DOOR No.149/1, SRI VASAVI,
3RD MAIN, P. J. EXTENSION,
DAVANAGERE-577002.
7. SRI. L. V. NAGANARIDA,
S/O VITTAL MURTHY,
AGED 63 YEARS, DIRECTOR,
SRI. KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,
B. T. LAYOUT, K. R. ROAD,
DAVANAGERE - 577002.
8. SRI. B. ADINARAYANA SETTY,
S/O LATE RAMAKRISHNAPPA,
AGED ABOUT 96 YEARS,
DIRECTOR, SRI. KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,
DOOR No.1553, 2ND CROSS,
BEHIND DURGAMBIKA SCHOOL,
JALINAGARA, DAVANAGERE -577004.
9. SRI. S. H. MALLESHA SETTY,
S/O LATE HANUMANTHA SETTY,
AGED ABOUT 90 YEARS,
DIRECTOR, SRI. KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,
DOOR No.422/2, SRI. RAM KRUPA,
KUVEMPURROAD, K. B. EXTENSION,
DAVANAGERE - 577002.
10. SRI K.N ANANTARAMA SETTY,
AGED ABOUT 77 YEARS,
DIRECTOR,
S/O LATE K. NANJUNDA SETTY,
SRI. KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,



DOOR No.160/1, NANJUNDESHWARA NILAYA,
3RD MAIN, VASAVI ROAD,
P. J. EXTENSION,
DAVANAGERE-577002.

11. SRI. R. G. SRINIVAS MURTHY,
S/O LATE R. V. GOPALA KRISHNA SETTY,
AGED ABOUT 65YERAS,
CO OPT DIRECTOR,
SRI. KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,
DOOR No. 1188, GOPIKANTA NILAYA,
NEAR NATIONAL CONVENT,
NIJALINGAPPA LAYOUT,
DAVANAGERE - 577004.
12. SRI. M. NAGARAJ GUPTA,
S/O LATE SUBBARAYA GUPTA,
AGED ABOUT 77 YEARS, DIRECTOR,
SRI. KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,
DOOR No.500/2, 4TH MAIN,
P. J. EXTENSION, DAVANAGERE-577002.
13. SRI. K. S. SATISH
S/O LATE K. SURYANARAYANA SETTY,
AGED ABOUT 56 YEARS, DIRECTOR
SRI. KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,
DOOR No.2577, SRINIDHI,
5TH MAIN, MCC A BLOCK,
DAVANAGERE-577005.
14. SRI. M. S. SATYANARAYANA,
S/O SRI. RANGAPPA SETTY,
AGED ABOUT 67 YEARS, DIRECTOR
SRI. KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,
1ST MAIN, 1ST CROSS,
BEHIND SIBARA TEMPLE, KONDAJJI ROAD,
DAVANAGERE - 577589.



15. SRI. Y. NATARAJ
S/O NARASIMHA GUPTA,
AGED ABOUT 62 YEARS, DIRECTOR
SRI. KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,
2ND MAIN, 5TH CROSS,
NITTUVALLI NEW EXTENSION,
DAVANAGERE - 577004.
16. SRI. B. P. NAGABHUSHANA,
S/O B. R. PUTTALINGAIAH,
AGED ABOUT 79 YEARS, DIRECTOR,
SRI. KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,
DOOR No.492/3,
SRI. SAI PROVISION STORES,
4TH MAIN, NEAR RAM AND CO CIRCLE,
P. J. EXTENSION, DAVANGERE- 577004.
17. SRI. VENKATACHALAPATY,
S/O LATE K. ROSAIAH,
AGED ABOUT 62 YEARS, DIRECTOR,
SRI. KANNYAKA PARAMESHWARI
DEVASTANA SANGHA,
DOOR No.3371/27, 10TH CROSS,
3RD MAIN, VINOBANAGARA,
DAVANGERE-577004.
18. SRI. MANJUNATH P. GUNDAL,
S/O PARASHURAMA SETTY G. K.,
AGED ABOUT 62 YEARS,
CO-OPT. DIRECTOR, SRI. KANNYAKA
PARAMESHWARI DEVASTANA SANGHA,
DOOR No.1890/23, LIC COLONY,
VIDYANAGARA, DAVANAGERE-577005.
19. SRI. S. VASANTH KUMAR,
S/O S. LAKSHMINARAYANA SETTY,
AGED ABOUT 79 YEARS, BUSINESSMAN,
DOOR No.420/7, KUVEMPU ROAD,
K. B. EXTENSION, DAVANAGERE - 577002.



20. SRI K.V. MANJUNATH,S
S/O LATE KASAL VISHWNATHA SETTY,
AGED ABOUT 62 YEARS, BUSINESSMAN,
DOOR No.2886/1, 4TH MAIN, 4TH CROSS,
MCC 'B' BLOCK, DAVANGERE - 577004.
21. SRI.T. VIJAYKUMAR,
S/O SUBRAYAPPASHETTY,
AGED ABOUT 61 YEARS,
R/O 1ST MAIN, 8TH CROSS,
VINOANGARA, DAVANGERE-577005.
22. SRI.N.KASHINATH,
S/O K. N. NAGESHAPPA,
AGED ABOUT 56 YEARS,
R/O No.660/2, SKP TEMPLE ROAD,
DAVANGERE-577002.

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 26/07/2018 PASSED BY THE LEARNED II ADDL CIVIL JUDGE AND J.M.F.C. DAVANAGERE IN O.S. No. 256/2018 THE COPY OF THE SAME IS PRODUCED AND MARKED AS ANNEXURE-A TO THE WRIT PETITION AND CONSEQUENTLY BE PLEASED TO DISMISS THE I.A. No.13 FILED BY THE RESPONDENTS ABOVE IN THE INTEREST OF JUSTICE AND EQUITY.

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 N.P. Sunil Kumar, learned counsel appearing for Sri M.R. Hiremathad, learned counsel for the petitioners.

2. The present writ petition is filed challenging the order dated 26.07.2018 passed in O.S. No.256/2018 by the Principal Civil Judge, Davanagere [trial Court]. The suit was instituted seeking a declaration that the act of the defendants in causing obstruction to Sri Kannika Parameshwari Devasthana Sangha and its administrators in managing and looking after the affairs of the suit schedule properties is illegal and high-handed.

3. In the said suit, I.A. No.VI was filed by the defendants under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908, seeking to restrain the plaintiffs from conducting elections to Sri Kannika Parameshwari Devasthana Sangha scheduled to be held on 21.07.2018. The said application was considered by the trial Court on 26.07.2018. The trial Court, having found that the relief sought in the application had become infructuous, dismissed the application accordingly.



4. In view of the very nature of the relief sought in the application, the only restraint prayed for was with respect to the conduct of elections scheduled on 21.07.2018. The rejection of the said application by the trial Court as having become infructuous is justified. The application no longer survives for consideration by the trial Court. This Court finds no infirmity in, and concurs with, the order passed by the trial Court. Accordingly, the writ petition stands rejected.

Sd/-
(K. V. ARAVIND)
JUDGE