



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 28266 OF 2025 (GM-CPC)

BETWEEN:

SRI YASHWANTH K
S/O LATE KUMAR.C.R.
AGED ABOUT 29 YEARS
R/OF SIDDANAYAKANAPALYA
HEBBUR HOBLI, TUMAKURU TALUK
AND DISTRICT-572120.

...PETITIONER

(BY SRI. MADHUSUDHAN M.N, ADVOCATE)

AND:

1. SRI LAKSHMAN GOWDA
S/O LATE NARAYANAGOWDA
AGED ABOUT 64 YEARS.
2. SRI RAMESHA
S/O LATE NARAYANA GOWDA
AGED ABOUT 60 YEARS.
3. SRI CHALUVEGOWDA
S/O NARAYANAGOWDA
AGED ABOUT 39 YEARS.
4. SRI GANGANNA
S/O NARAYANAGOWDA
AGED ABOUT 39 YEARS.
5. SRI SINGRI GOWDA
S/O CHELUVU GOWDA
AGED ABOUT 66 YEARS

Digitally signed by
DHANALAKSHMI
MURTHY
Location: HIGH
COURT OF
KARNATAKA



6. SRI CHALUVE GOWDA
S/O CHALUVEGOWDA
AGED ABOUT 60 YEARS.

SRI CHIKKACHALUVEGOWDA
DEAD BY LR'S
7. SRI C.NAGARAJU
S/O LATE CHIKKACHALUVEGOWDA
AGED ABOUT 62 YEARS
8. SRI PARASHURAM
S/O LATE CHIKKACHALUVEGOWDA
AGED ABOUT 60 YEARS
9. SRI BALAKRISHNA
S/O LATE CHIKKACHALUVEGOWDA
AGED ABOUT 58 YEARS
10. SRI CHALUVAGOWDA
S/O LATE CHIKKACHALUVEGOWDA
AGED ABOUT 56 YEARS
11. SMT.SUSHEELAMMA
W/O LATE MANJUNATHA.S
AGED ABOUT 47 YEARS
12. SRI PRADEEP.C.M.
S/O LATE MANJUNATHA.S
AGED ABOUT 29 YEARS
13. SRI PRATHAP C M
S/O LATE MANJUNATHA.S
AGED ABOUT 27 YEARS.
R7 TO R13 ARE R/AT CHANNAPURA VILLAGE
BEGUR POST, KUNIGAL TALUK
TUMAKURU DISTRICT-572130.

SRI C.C.GANGANNA
DEAD BY LR'S



14. SMT.SHANTHAMMA
W/O LATE C.G.GANGANNA
AGED ABOUT 72 YEARS
R/AT CHANNAPURA VILLAGE
BEGUR POST, KUNIGAL TALUK
TUMAKURU DISTRICT.

15. SRI H.P.NAGARAJ
S/O PUTTASHAMACHAR
AGED ABOUT 67 YEARS
R/AT HEBBUR VILLAGE
HEBBUR HOBLI TUMAKUR TALUK.

...RESPONDENTS

(BY SRI. N KRISHNA MURTHY, ADVOCATE FOR R1 TO R4:
SERVICE OF NOTICE TO R5 TO R15 IS DISPENSED WITH
V/O DATED: 24.03.2026)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT OF CERTIORARI TO SET ASIDE THE IMPUGNED ORDER PASSED IN MISCL. APPEAL NO. 22/2023 DATED 01.04.2025 BY THE PRL. DISTRICT AND SESSIONS JUDGE, TUMAKURU AS PER ANNEXURE-H AND ALSO SET ASIDE THE IMPUGNED ORDER PASSED BY THE LEARNED PRL. SR. CIVIL JUDGE AND CJM AT TUMAKURU DATED 05.07.2023 IN OS NO. 440/2018 AS PER ANNEXURE -E AND ETC.

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

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

1. In this writ petition, the petitioner has called in question the order dated 01.04.2025 passed by the Prl. District & Sessions Judge, Tumakuru, in Miscellaneous Appeal No.22/2023, whereby the First Appellate Court has



confirmed the order dated 05.07.2023 passed by the Prl. Senior Civil Judge and CJM, Tumakuru in O.S.No.440/2018.

2. For the sake of convenience, the parties are referred to as per their ranking before the Trial Court in Original Suit.

3. The plaintiffs instituted O.S.No.440/2018 seeking the reliefs of declaration and injunction. Along with the suit, the plaintiffs filed I.A. No.I under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908. The Trial Court initially granted an order of status quo directing the parties to maintain status quo in respect of the suit schedule property. Upon service of summons, the defendants entered appearance, filed their written statement, and also sought vacating of the status quo order. The Trial Court, by order dated 05.07.2023, vacated the order of status quo and dismissed the application filed by the plaintiffs under Order XXXIX Rules 1 and 2 of CPC.



Aggrieved thereby, the plaintiffs preferred Miscellaneous Appeal No.22/2023. The First Appellate Court, by the impugned judgment dated 01.04.2025, dismissed the appeal and confirmed the order of the Trial Court. Aggrieved by the same, the present writ petition is filed.

4. The suit is one for declaration and injunction. The Trial Court, having regard to the pleadings, has framed the necessary issues and the matter is presently posted for evidence.

5. Having regard to the nature of the dispute and in order to safeguard the interests of both parties pending adjudication, it is just and appropriate to direct maintenance of status quo till disposal of the suit, while also directing expeditious disposal of the proceedings.

6. Accordingly, the following order is passed:



ORDER

- a) The writ petition is disposed of.
- b) The impugned order dated 01.04.2025 passed by the Prl. District & Sessions Judge, Tumakuru, in Miscellaneous Appeal No.22/2023, is modified.
- c) The parties are directed to maintain status-quo in respect of the suit schedule property, till the disposal of the suit.
- d) The Trial Court is directed to dispose of the suit in accordance with law and as expeditiously as possible within one year from the date of receipt of a copy of this order.
- e) Parties are directed to co-operate for early disposal of the suit.

**Sd/-
(H.T. NARENDRA PRASAD)
JUDGE**