



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 35928 OF 2024 (GM-DRT)

BETWEEN:

1. MR SUNIL KUMAR M J
S/O MR. JAYA KUMAR M,
AGED ABOUT 29 YEARS,
R/ AT NO.10,
10TH CROSS, 2ND BLOCK,
AKSHAYANAGAR
RAMAMURTHY NAGAR
BENGALURU – 560 016.
2. SMT. M J MADHUMITHA,
D/O MR. JAYA KUMAR M,
AGED ABOUT 24 YEARS,
R/ AT NO. 8/1,
VENKATASWAMY NAIDU ROAD,
VEERAPILLAI STREET CROSS,
SHIVAJINAGAR
BENGALURU – 560 001.

...PETITIONERS

(BY SRI. C VIJAYA KUMAR.,ADVOCATE FOR SRI.
T.N.VISWANAHTA., ADVOCATE)

AND:

1. SRI DONI VEERABHADHRAN NAIDU
AGED ABOUT 52 YEARS,
S/O LATE SWAMYNATHAN NAIDU,
ALSO R/ AT





NO. 216, 4TH MAIN ROAD,
N R I LAYOUT,
NEAR MAITHRY VIDYANIKETHAN
SCHOOL, NEXT TO SWAPNA RESIDENCY,
BENGALURU – 560 016.

2. SMT. NIRMALA V NAIDU,
W/O MR. DONI VEERABHADRAN NAIDU,
AGED ABOUT 46 YEARS

BOTH ARE R/ AT NO.51,
HARIESH LAYOUT, VARANASI,
NEAR MOTHER TERESA SCHOOL
T C PALYA MAIN, J K HALLI,
K R PURAM POST,
BENGALURU – 560036

ALSO R/AT
NO. 216, 4TH MAIN ROAD,
N R I LAYOUT,
NEAR MAITHRY VIDYANIKETHAN
SCHOOL, NEXT TO SWAPNA RESIDENCY,
BENGALURU – 560 016.

3. CAN FIN HOMES LIMITED
NON-BANKING FINANCE COMPANY,
INCORPORATED UNDER COMPANIES ACT, 1956
REGULATED UNDER THE PROVISIONS
OF NATIONAL HOUSING BANK ACT, 1987
HAVING BRANCH OFFICE AT FIRST FLOOR,
RAJA RAO COMPLEX, TIPPU SULTAN ROAD,
DEVANAHALLI – 562 110
REP. BY ITS AUTHORIZED OFFICER.

... RESPONDENTS

(NOTICE TO R-1 STAND DEFERRED V.O.D 28.07.2025;
NOTICE TO R-2 IS HELD SUFFICIENT V.O.D 28.07.2025;
SRI. D.NARAYANA SWAMY.,ADVOCATE FOR R-3)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE
CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF
DIRECTION DIRECTING THE RESPONDENTS TO PAY RS.



10,33,000/- TO THE PETITIONERS TOWARDS THE LEASE AMOUNT PAID BY THEM TO THE R-1 AND 2 AS PER LEASE DEED DTD 25.05.2024 A COPY OF WHICH IS PRODUCED AT ANNEX-A A.W FUTURE INTEREST AT 18 PERCENT PER ANNUM FROM THE DATE OF PAYMENT TILL REPAYMENT TO MEET THE ENDS OF JUSTICE.

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

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

1. Learned counsel for the petitioners files a memo seeking leave of the Court to withdraw the writ petition, with liberty to approach the appropriate forum within 30 days from today.
2. The memo is taken on record.
3. The writ petition is ***dismissed as withdrawn*** with a liberty to the petitioners to approach the appropriate forum within 30 days from today.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

RK
List No.: 2 Sl No.: 9