



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

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

WRIT PETITION NO. 39053 OF 2025 (GM-CPC)

C/W

WRIT PETITION NO. 37710 OF 2025 (GM-CPC)

IN W.P. No. 39053/2025:

BETWEEN:

SRI. NARAYANAPPA @ NARAYANA
S/O. LATE ASHWATHAPPA
AGED ABOUT 62 YEARS
R/AT K G LAKKANAHALLI VILLAGE
BAPAGRAM POST, DASANAPURA HOBLI
BENGALURU NORTH TALUK-562162.

...PETITIONER

(BY SRI. NANJUNDARADHYA B.G., ADVOCATE)

Digitally signed by
DHANALAKSHMI
MURTHY

Location: HIGH
COURT OF
KARNATAKA

AND:

1. SMT. HANUMAKKA
W/O. LATE NAGANNA
AGED ABOUT 76 YEARS
R/AT K.G. LAKKANAHALLI
BAPAGRAM POST-562162
DASANAPURA HOBLI
BENGALURU NORTH TALUK.
2. SRI. LAKSHMINARAYANA
S/O. LATE NAGANNA
AGED ABOUT 76 YEARS
R/AT K.G. LAKKANAHALLI
BAPAGRAM POST-562162



DASANAPURA HOBLI
BENGALURU NORTH TALUK.

3. SMT. LAKSHMIDEVI
D/O. LATE NAGANNA
MAJOR IN AGE
R/AT BETTANAPALYA
RAMOHALLI POST
KENGARI HOBLI
BENGALURU SOUTH TALUK
BENGALURU - 560074.
4. SRI. RAMAIAH
S/O. LATE ASHWATHAPPA
MAJOR IN AGE
R/AT K.G.LAKKANAHALLI
BAPAGRAM POST-562162
DASANAPURA HOBLI
BENGALURU NORTH TALUK.
5. SRI. LOHITH KUMAR
S/O. RAMAIAH
MAJOR IN AGE
R/AT K.G. LAKKANAHALLI
BAPAGRAM POST-562162
DASANAPURA HOBLI
BENGALURU NORTH TALUK.
6. SRI. PUNITH KUMAR
S/O. RAMAIAH
MAJOR IN AGE
R/AT K.G. LAKKANAHALLI
BAPAGRAM POST-562162
DASANAPURA HOBLI
BENGALURU NORTH TALUK.
7. SMT. MANJULA
D/O. LATE ASHWATHAPPA
AGED ABOUT 53 YEARS
NO.2, SHANTHA GUDAPPA LAYOUT
NAGASANDRA POST



BENGALURU NORTH TALUK
BENGALURU - 560073.

8. SRI. SRINIVASA MURTHY
S/O. LATE ASHWATHAPPA
MAJOR IN AGE
R/AT K.G. LAKKANAHALLI
BAPAGRAM POST-562162
DASANAPURA HOBLI
BENGALURU NORTH TALUK.
9. SRI. JAGADISH
S/O. SANNAMEARIYAPPA
MAJOR IN AGE
R/AT HOUSE NO.336,
NEAR KRISHNAPPA BUILDING
HESARAGATTA ROAD
CHIKKASANDRA
BENGALURU-562149.
10. SMT. SOUMYA
W/O. AJAY KRISHNA
MAJOR IN AGE
R/AT MANDYA RURAL DISTRICT
NAGAMANGALA TALUK
DEVAPURA HOBLI-577527.
11. SRI. KRISHNEGOWDA
S/O. RANGEGOWDA
AGED ABOUT 60 YEARS
R/AT MANDYA DISTRICT
NAGAMANGALA TALUK
BELLAKKI HOBLI,
NELLIGERE POST
TAVAREKERE VILLAGE-571418.
12. SRI. SATHISH
S/O. SHRI DOLLEGOWDA
AGED ABOUT 43 YEARS
R/AT K.G. LAKKANAHALLI
BAPAGRAM POST-562162



DASANAPURA HOBLI
BENGALURU NORTH TALUK.

13. SMT. NALINA
W/O. SATHISH
AGED ABOUT 36 YEARS
R/AT K.G. LAKKANAHALLI
BAPAGRAM POST-562162
DASANAPURA HOBLI
BENGALURU NORTH TALUK.
14. SMT. CHANDRAMMA
W/O. SHRI KRISHNAPPA
AGED ABOUT 52 YEARS
R/AT HOUSE NO.91
NAGARAHOLE NAGARA
3RD CROSS, TOWER BUILDING
BENGALURU - 560091.
15. SMT. LEELAVATHI
W/O. SHANKARAPPA
AGED ABOUT 43 YEARS
R/AT HOUSE NO.80
NAGARAHOLE NAGARA
VISHWANEEDUM POST
HEROHALLI VILLAGE
BENGALURU - 560091.
16. SRI. K.N. MAHESH
S/O. NANJUNDASHETTY
AGED ABOUT 48 YEARS
R/AT HOUSE NO.374
VEERABHADRESHWARANAGARA
NAGARAHOLE NAGARA
BENGALURU - 560091.
17. SRI. R. PUTTASWAMI
S/O. RAMAKRISHNA
AGED ABOUT 31 YEARS



18. SMT. CHAITHRA
W/O. R. PUTTASWAMI
AGED ABOUT 31 YEARS

SL.NOS.17 AND 18 ARE R/AT
NO.46, 6TH CROSS, 2ND MAIN
DEEPANJALINAGARA
BENGALURU - 560026.

19. SMT. B.J. JAYALAKSHMAMMA
D/O SMT. B.J. JAYALAKSHMAMMA
AGED ABOUT 44 YEARS
HAALANA KOPPALU
P. NERALAKERE VILLAGE
MAYIGONAHALLI POST
NAGAMANGALA TALUK
KASABA HOBLI
MANDYA TALUK - 571802.

20. SRI. G. SHANKAR
S/O GOVINDEGOWDA
AGED ABOUT 51 YEARS
LAALANAKERE VILLAGE
LAALANAKERE POST
BINDIGANAVILE HOBLI
NAGAMANGALA TALUK
MANDYA DISTRICT - 571802.

21. SRI. M.T. PRAVEEN
S/O THAMANNAGOWDA
MAJOR BY AGE
MAYIGONAHALLI VILLAGE
MAYIGONAHALLI POST
NAGAMANGALA TALUK
MADYA DISTRICT -571802.

22. SMT. GEETHA
W/O SHIVANNA
AGED ABOUT 39 YEARS
R/AT HEBBERALU VILLAGE
AGATHURU HOBLI



MADDURU TALUK
MANDYA DISTRICT - 571476.

23. SRI. S.K. MAYANNA
S/O LATE KEMPAIAH
AGED ABOUT 72 YEARS
R/AT RAMAMURTHI NAGARA
2ND CROSS, LAKSHMI TENT ROAD
BENGALURU - 560016.
 24. SRI. SADASHIVA GAANIGA
S/O SEENAGAANIGA
AGED ABOUT 73 YEARS
R/AT NO.553/B, KRISHNA NILAYA
4TH BLOCK, 1ST A CROSS,
3RD STAGE, BASAVESHWARA NAGAR
BENGALURU-560079.
 25. SMT. REVAMMA
W/O RAMESH
AGED ABOUT 56 YEARS
R/AT HANCHA HALLI VILLAGE
KERAGODU HOBLI
MANDYA TALUK
MANDYA DISTRICT-571446.
 26. SRI. R. VENKATESH
S/O HUCCHASHETTY,
AGED ABOUT 44 YEARS,
 27. SMT. KANYA
W/O VENKATESH
ABED ABOUT 37 YEARS
- SL.NOS.26 AND 27 ARE R/AT
NO.70, NAGARAHOLE NAGARA,
MAHADESHWARANAGARA MAIN ROAD
BENGALURU-560091.
28. SRI. RAJANNA
S/O RAMAIAH



AGED ABOUT 33 YEARS
NO.70, NAGARAHOLE NAGARA
MAHADESHWARANAGARA MAIN ROAD
BENGALURU - 560091.

29. SRI. MUNIRAJU
S/O MUNIYAPPA
AGED ABOUT 43 YEARS

30. SMT. MANJULA
W/O MUNIRAJU
AGED ABOUT 40 YEARS

SL.NOS.29 AND 30 ARE R/AT
NO.7, MUNISHWARA COMPOUND
35TH CROSS ROAD, 2ND BLOCK
JOOGANAHALLI, RAJAJINAGARA
BENGALURU -560010.

31. SMT. SHIVAMMA
W/O N. RAMASWAMY
AGED ABOUT 50 YEARS
TYPE NO.31, NDRI QUARTERS
HOSURU ROAD, ADUGODI
BENGALURU - 560030.

...RESPONDENTS

(BY SRI VINAY D.HOSMATH, ADVOCATE FOR R15, R17 & R18;
NOTICE TO R1 TO R14, R16 TO R18, R20 TO R31 IS
DISPENSED WITH VIDE ORDER DATED 19.01.2026)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
IMPUGNED ORDER DATED 18-10-2025 IN O.S.NO.624/2025,
PASSED BY THE LEARNED SENIOR CIVIL JUDGE AND JMFC,
NELAMANGALA, IN SO FAR AS KEEPING ABEYANCE OF I.A.
NO.6 FILED BY THE PETITIONER UNDER ORDER 39 RULE 2A
R/W SECTION 151 OF CPC, VIDE ANNEXURE-N AND ETC.



IN W.P. NO. 37710/2025:

BETWEEN:

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S/O. LATE ASHWATHAPPA
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R/AT K G LAKKANAHALLI VILLAGE
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...PETITIONER

(BY SRI. NANJUNDARADHYA B.G., ADVOCATE)

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NC: 2026:KHC:17170
WP No. 39053 of 2025
C/W WP No. 37710 of 2025

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AGED ABOUT 40 YEARS,



NC: 2026:KHC:17170
WP No. 39053 of 2025
C/W WP No. 37710 of 2025

SL. NOS.29 AND 30 ARE R/AT
NO.7. MUNISHWARA COMPOUND
35TH CROSS ROAD, 2ND BLOCK,
JOOGANAHALLI, RAJAJINAGARA,
BENGALURU-560010.

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...RESPONDENTS

(BY SRI. VINAY D. HOSMATH, ADVOCATE FOR R15, R17
AND R18;
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THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
IMPUGNED ORDER DATED 18-10-2025 IN
O.S.NO.624/2025, PASSED BY THE LEARNED SENIOR CIVIL
JUDGE AND JMFC, NELAMANGALA IN SO FAR AS KEEPING
ABEYANCE OF THE I.A. NO.5 FILED BY THE PETITIONER
UNDER SECTION 151 OF CPC, VIDE ANNEXURE-N AND ETC.

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

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

ORAL ORDER

These writ petitions are filed by the plaintiff under
Article 227 of the Constitution of India, challenging the
order dated 18.10.2025, whereby IA Nos. 5 and 6 in O.S.



No. 624/2025 were kept in abeyance until orders on IA Nos. 2 and 3 are passed, by the Senior Civil Judge and JMFC, Nelamangala.

2. The plaintiff has filed a suit in O.S. No. 624/2025 for declaration and injunction. Along with the plaint, he has filed IA Nos. 2 and 3 under Order XXXIX Rules 1 and 2 r/w. Section 151 of the Code of Civil Procedure. Upon service of summons, defendant Nos. 15, 17, and 18 filed a memo dated 27.09.2025 undertaking not to put up any construction on the suit schedule property. In view of the said memo, defendant Nos. 15, 17, and 18 were restrained from putting up any further construction on the suit schedule property.

3. Thereafter, it is the case of the plaintiff/petitioner that, in violation of the said undertaking, the defendants proceeded with construction. Consequently, the plaintiff filed IA No. 5 under Section 151 of the CPC seeking police protection for implementation of the order dated



27.09.2025, and also filed IA No. 6 under Order XXXIX Rule 2A of the CPC seeking action against defendant Nos. 15, 17, and 18 for disobeying the order of temporary injunction.

4. The trial Court, without deciding the applications on merits, passed an order keeping the said applications in abeyance. Since the applications pertain to disobedience of the Court's order, the trial Court ought to have decided the same in accordance with law.

5. In view of the above, the following order is passed:

(i) The writ petitions stand disposed of.

(ii) The order dated 18.10.2025, keeping IA Nos. 5 and 6 in abeyance until passing orders on IA Nos. 2 and 3, is set aside.



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(iii) The trial Court is directed to decide IA Nos. 5 and 6, in accordance with law, as expeditiously as possible.

(iv) In view of the disposal of the main matter, all pending applications stand disposed of.

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

CM
List No.: 1 Sl No.: 65