



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S. KINAGI

WRIT PETITION NO.101833 OF 2026 (GM-CPC)

BETWEEN:

1. SAMBASHIVA S/O. LINGAPPA HEGDE,
AGED ABOUT 69 YEARS, OCCUPATION: PENSIONER,
R/O: PRASANNA, MARIKAMBA NAGAR, 3RD CROSS,
SIRSI, TALUK SIRSI, DISTRICT UTTARA KANNADA-581401.

2. SHARADA W/O. VENKATRAMAN BHAGWAT,
AGED ABOUT 85 YEARS, OCCUPATION: HOUSEHOLD,
R/O: #118, NILKOD, MELINA KERI, TALUK HONNAVAR,
DISTRICT UTTARA KANNADA-581334,
REPRESENTED BY GPA HOLDER: SAMBASHIVA
S/O. LINGAPPA HEGDE (I.E., PETITIONER NO.1).

3. SHANTI @ SHANTABAI W/O. MANJUNATH BHAT,
AGED ABOUT 88 YEARS, OCCUPATION: HOUSEHOLD,
R/O: HOUSE NO.492, TENGINKERI, KARKI, TALUK HONNAVAR,
DISTRICT UTTARA KANNADA - 581341,
REPRESENTED BY GPA HOLDER: SAMBASHIVA
S/O. LINGAPPA HEGDE (I.E., PETITIONER NO.1).

4. TIMMAPPA S/O. LINGAPPA HEGDE,
AGED ABOUT 74 YEARS, OCCUPATION: BUSINESS,
R/O: #171, 9TH MAIN ROAD, AGS LAYOUT, AREHALLI,
SUBRAMANYAPURA, BANGALORE SOUTH,
TALUK BANGALORE SOUTH, DISTRICT BANGALORE - 560061.

5. BHAGIRATI W/O. MANJUNATH BHAT,
AGED ABOUT 76 YEARS, OCCUPATION: HOUSEHOLD,
R/O: MATADAKERI, POST KEKKAR, TALUK HONNAVAR,
DISTRICT UTTARA KANNADA-581338.



6. MUKTA D/O. LINGAPPA HEGDE
@ MUKTA W/O. SUBRAY HEGDE,
AGED ABOUT 65 YEARS, OCCUPATION: HOUSEHOLD,
R/O: PRAGATI NAGAR, PADUKASHRAMA BAYALU,
SIRSI, TALUK SIRSI, DISTRICT UTTARA KANNADA-581402.
7. GANESH S/O. NARAYAN YAJI,
AGED ABOUT 54 YEARS, OCCUPATION: SERVICE,
R/O: CHITRAPUR ROAD, SHIRIALI, POST SHIRALI,
TALUK BHATKAL, DISTRICT UTTARA KANNADA - 581354.
8. INDIRA D/O. NARAYAN YAJI,
AGED ABOUT 61 YEARS, OCCUPATION. HOUSE HOLD,
R/O: #1218/1, JNANASHRAYA, JOGMATH,
HONNAVAR, TALUK HONNAVAR,
DISTRICT UTTARA KANNADA-581334.
9. GEETA D/O. NARAYAN YAJI,
AGED ABOUT 58 YEARS, OCCUPATION: HOUSEHOLD,
R/O: ANUGRAH, GOPALAPUR, 2ND CROSS,
NEAR UTTARADHI MATH, POST DHARWAD R.S.,
TALUK & DISTRICT DHARWAD-580007.
10. GEETHA W/O. RAMACHANDRA YAJI,
AGED ABOUT 60 YEARS, OCCUPATION: HOUSEHOLD,
R/O: #172, ABHISHEK BUILDING, KELAGERI ROAD,
SANMATI NAGAR, 3RD CROSS, DHARWAD,
TALUK & DISTRICT DHARWAD-580008.
11. ABHISHEK S/O. RAMACHANDRA YAJI,
AGED ABOUT 31 YEARS, OCCUPATION: SERVICE,
R/O: #172, ABHISHEK BUILDING, KELAGERI ROAD,
SANMATI NAGAR, 3RD CROSS, DHARWAD,
TALUK & DISTRICT DHARWAD-580008.
12. GIRIJA W/O. GOPAL HEGDE,
AGED ABOUT 65 YEARS, OCCUPATION: HOUSEHOLD,
R/O: BETTAGERI, HOLEGADDE, TAIUK KUMTA,
DISTRICT UTTARA KANNADA-581327.



13. DEEPA W/O. NAGARAJ HEGDE,
AGED ABOUT 41 YEARS, OCCUPATION: HOUSEHOLD,
R/O: BETTAGERI, HOLEGADDE, TALUK KUMTA,
DISTRICT UTTARA KANNADA-581327.

...PETITIONERS

(BY SRI. RAMACHANDRA V.BHAT, ADVOCATE)

AND:

NIL

...RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) ISSUE A WRIT IN THE NATURE OF CERTIORARI QUASHING THE IMPUGNED ORDER DATED 06.01.2026 PASSED BY THE PRL. CIVIL JUDGE, SIRSI, IN O.S.NO.278/2025 VIDE ANNEXURE-F IN THE INTEREST OF JUSTICE AND EQUITY. B) ISSUE A WRIT IN THE NATURE OF MANDAMUS DIRECTING THE PRL. CIVIL JUDGE, SIRSI TO RECORD THE COMPROMISE PETITION DATED 04.09.2025 VIDE ANNEXURE-E UNDER ORDER XXIII RULE 3 CPC AND PASS A DECREE IN TERMS OF THE COMPROMISE PETITION IN O.S.NO.278/2025, IN THE INTEREST OF JUSTICE AND EQUITY.

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



ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE ASHOK S. KINAGI)

The learned counsel for the petitioners has filed a memo seeking leave of the court to withdraw the writ petition with liberty to file fresh writ petition on the same cause of action.

2. The memo is placed on record.

3. Accordingly, the writ petition is dismissed as withdrawn with the aforesaid liberty.

SD/-
(ASHOK S. KINAGI)
JUDGE

MBS
CT: UMD
List No.: 1 SI No.: 28