



CNR: KAHC010134982025

NC: 2026:KHC:53359
WP No. 6750 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 6750 OF 2025 (GM-RES)

BETWEEN:

1. SRI SUNDARESH H S
S/O LATE H.P. SUBBA RAO,
AGED ABOUT 75 YEARS,
R/AT. NO.21, 1ST FLOOR,
12TH A MAIN ROAD,
NEAR GANESHA TEMPLE,
MUTHYALANAGARA,
BANDAPPA GARDEN,
MATHIKERE, BANGALORE NORTH TALUK,
BANGALORE-560054.

...PETITIONER

(BY SRI. SHYAM PRASAD TS.,ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER
CUM APPELLATE AUTHORITY,
SENIOR CITIZEN WELFARE AND
MAINTENANCE EXECUTING TRIBUNAL,
HASSAN DISTRICT, HASSAN-573201.
2. THE ASSISTANT COMMISSIONER
OFFICE OF ASSISTANT COMMISSIONER,
HASSAN SUB-DIVISION,
HASSAN-573201.
3. SRI. H.S. BALASUBRAMANYA PRASAD,





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WP No. 6750 of 2025

S/O LATE H.P.SUBBA RAO,
AGED ABOUT 67 YEARS,
R/AT. NO.1048, NORTH EXTENTION,
HASSAN-573201.

4. SRI. H. M. RAMEGOWDA
S/O LATE MARIGOWDA,
AGED ABOUT 60 YEARS,
R/AT. SRI.LAKSHMINARASIMHASWAMY NILAYA,
SHANKARACHARYA ROAD,
VIDYANAGARA, HASSAN-573201.

...RESPONDENTS

(BY SRI. RAHUL CARIAPPA K S, AGA FOR R1 & R2)

THIS W.P. IS FILED UNDER ARTICLES 226 & 227 OF THE
CONSTITUTION OF INDIA PRAYING TO DIRECT, QUASHING
THE ORDER AT ANNEX-M DTD 09.01.2025 BEARING NO.
MAG/11/2024-25 PASSED BY THE R-1.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

Learned counsel for the petitioner has filed a memo dated
10.09.2026, which reads as under:

*" MEMO FOR WITHDRAWAL OF THE WRIT PETITION
WITH LIBERTY TO REFILING*

*The Petitioner, through his counsel, respectfully submits
as follows: out in the writ petition.*

*1. The above writ petition has been filed challenging the
action/order of the respondent on the issues and grounds
set out in the writ petition.*

Digitally Signed by CHEPPUDIRA
MONNAPPA POONACHA



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WP No. 6750 of 2025

2. The matter is presently pending at the stage of compliance of office objections. The Petitioner has been advised by his counsel to produce the **original documents/copies of the relevant records** required for proper compliance and for effectively presenting the matter before this Hon'ble Court.

3. The Petitioner requires some further time to obtain and produce the said original documents. However, due to **health-related difficulties and consequent inability to personally attend to and procure the necessary original records within the stipulated time**, the Petitioner has not been able to comply with the requirements within the time available.

4. In the circumstances, and in order to avoid further delay in the proceedings and repeated non-compliance of office objections, the Petitioner does not wish to prosecute the present writ petition in its present form and seeks permission of this Hon'ble Court to **withdraw the present writ petition**. The Petitioner submits that the withdrawal is necessitated **only on account of the present procedural/documentary difficulties and is not an abandonment of the substantive rights, claims, contentions or issues raised by the Petitioner**.

5. The Petitioner therefore respectfully seeks liberty to **refile/present a fresh writ petition on the same subject matter, issues and cause of action**, after obtaining the necessary original documents, curing all office objections and placing the complete records before this Hon'ble Court.

PRAYER

Wherefore, the Petitioner most respectfully prays that this Hon'ble Court may be pleased to:

a) permit the Petitioner to withdraw the above writ petition;

b) grant liberty to the Petitioner to **refile/present a fresh writ petition on the same subject matter**,

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issues and cause of action, after obtaining the necessary original documents and complying with all office objections; and

c) pass such other order as this Hon'ble Court may deem fit in the interests of justice and equity.

Bengaluru

Date: 10/09/26

Sd/-

Counsel for the Petitioner
SHYAM PRASAD TS"

2. In view of the same, the above petition is dismissed as withdrawn.

3. This order will not preclude the petitioner from availing such remedies as permissible under law.

4. Pending IAs., if any, stand disposed of.

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MONNAPPA POONACHA

(C.M. POONACHA)
JUDGE

ND

List No.: 1 Sl No.: 47