



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF MARCH, 2026

BEFORE

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

WRIT PETITION NO. 8175 OF 2026 (GM-CPC)

BETWEEN:

1. SRI. K. VIJAY KUMAR
S/O SRI. LATE KRISHNAPPA
AGED ABOUT 51 YEARS
2. SRI. V. KIRAN
S/O SRI K. VIJAY KUMAR
AGED ABOUT 20 YEARS
3. SRI. PURUSHOTHAM,
S/O SRI K. VIJAY KUMAR
AGED ABOUT 19 YEARS

PETITIONER NOS.1 TO 3 ARE
RESIDING AT THOWDANAHALLI VILLAGE
SRIRAMAPURA POST
NANDI HOBLI, CHIKKABALLAPUR
TALUK AND DISTRICT-562101

...PETITIONERS

(BY SRI. C. SHANKAR REDDY, ADVOCATE)

AND:

1. SMT. ANJANADEVII
W/O LATE SRI. KRISHNAPPA
AGED ABOUT 73 YEARS
RESIDING AT FLAT NO.G-6
PSR CAMP, 3RD MAIN
POLICE STATION ROAD, HEBBAL

Digitally signed by
DHANALAKSHMI
MURTHY
Location: HIGH
COURT OF
KARNATAKA



BENGALURU-560 024

2. SRI. P. SHREYAS
S/O SRI K. PRASANNA KUMAR,
AGED ABOUT 20 YEARS
RESIDING AT THOWDANAHALLI VILLAGE
SRIRAMAPURA POST
NANDI HOBLI, CHIKKABALLAPUR
TALUK AND DISTRICT-562 101
3. SRI. K. PRASANNA KUMAR
S/O SRI KRISHNAPPA
AGED ABOUT 53 YEARS
RESIDING AT FLAT NO.G-6
PSR CAMP, 3RD MAIN
POLICE STATION ROAD, HEBBAL
BENGALURU 560024.

...RESPONDENTS

(BY SRI. B.K. PRASANNA, ADVOCATE FOR C/R1)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 02.03.2026 PASSED ON IA NO. 5 FILED BY THE R1 AND LATE SRI. KRISHNAPPA UNDER SECTION 151 OF THE CPC IN OS NO. 327/2024 ON THE FILE OF THE C/C II ADDL. CIVIL JUDGE AND JMFC, CHIKKABALLAPURA AT ANNEXURE-T 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. The petitioners-defendant Nos.1 to 3 have called in question the order dated 02.03.2026 passed by the II Addl. Civil Judge and JMFC, Chikkaballapura, on I.A.No.V filed by plaintiffs under Section 151 of CPC, whereby the said application has been allowed and direction was issued to the PSI of Nandigiridhama Police to give police protection to the plaintiffs for implementing the order of temporary injunction dated 01.03.2025.

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

3. Plaintiffs filed a suit in O.S.No.327/2024 for relief of permanent injunction. Along with the suit, plaintiffs also filed an application under Order XXXIX Rule 1 and 2 of CPC. The Trial Court, by order dated 01.03.2025 allowed



the application and granted an order temporary injunction. Subsequently, the plaintiffs filed I.A.No.V under Section 151 of CPC seeking police protection to implement the order of temporary injunction. The Trial Court by order dated 02.03.2026, has allowed the said application and directed the PSI of Nandigiridhama Police to give police protection to the plaintiffs for implementing the temporary injunction order dated 01.03.2025 till further orders. Aggrieved by the same, the defendants filed M.A.No.20/2025 before the II Addl. Senior Civil Judge and CJM, Chikkaballapura. The said appeal is pending before the First Appellate Court. In the meantime, the defendants have filed the present writ petition challenging the impugned order dated 02.03.2026 passed by the Trial Court.

4. Since the miscellaneous appeal is pending before the First Appellate Court, the only remedy available for the



defendants is to move the matter before the said Court for seeking an interim order till the disposal of the appeal.

5. At this stage, the learned counsel for the petitioners-defendants prays two weeks' time to move the matter before the First Appellate Court.

6. In that view of the matter, following order is passed:

ORDER

- a) Writ petition is disposed of.
- b) If the matter is advanced by the petitioners-defendant Nos.1 to 3 before the First Appellate Court seeking an interim prayer, the First Appellate Court is directed to consider the same in accordance with law, without being influenced by any observation made in this order.
- c) Till then, the plaintiffs are directed not to alienate the suit schedule property or destroy the crops, till the matter is moved before the First Appellate Court, not being later than two weeks from



the date of receipt of copy of this order. However,
the plaintiffs are at liberty to harvest the crop.

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

DM,
List No.: 1 Sl No.: 11