



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

CIVIL REVISION PETITION NO. 164 OF 2021

BETWEEN:

1. SMT. GIRIJAMMA
W/O KRISHNAMURTHY
AGED ABOUT 53 YEARS
CHAIRMAN,
FARAHALLI GRAMA PANCHAYATH
THIMMAPURA POST,
BANGARPET TALUK,
KOLAR DISTRICT 563 114
2. SRI. P.KRISHNAPPA
S/O PAPANNA
AGED ABOUT 30 YEARS
3. SRI. VENKATESHAPPA
S/O YELLAPPA
AGED ABOUT 55 YEARS,
PETITIONER Nos.2 AND 3 ARE
R/AT KARAHALLI VILLAGE AND POST
BANGARPET TALUK
KOLAR DISTRICT – 563 101

PETITIONERS

(BY SRI. M B CHANDRACHOODA, ADVOCATE FOR P1& P2;
CRP DISMISSAED AGAINST P3 V/O DATED 25.11.2025)

AND:

SRI. N. GANESH
S/O NARASAPPA

Digitally signed
by JUANITA
THIRUJESWINI

Location: HIGH
COURT OF
KARNATAKA



AGED ABOUT 65 YEARS
R/AT KARAHALLI VILLAGE
KASABA HOBLI,
BANGARPET TQ,
KOLAR DIST - 563 101

...RESPONDENT

(BY SRI. VASANTH.V.FERNANDES FOR
SMT.VEENA KUMAR, ADVOCATES)

THIS CRP FILED UNDER SECTION 115 OF CPC, AGAINST
THE JUDGMENT AND DECREE DATED 20.04.2021 PASSED IN
OS.NO.259/2008 ON THE FILE OF THE PRINCIPAL CIVIL JUDGE
AND JMFC, BANGARPET, DECREETING SUIT FOR RESTORING
POSSESSION.

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

Although this Civil Revision Petition has been filed at
the hands of the defendants in O.S.No.259/2008 raising a
challenge to the judgment and decree dated 20.04.2021
passed by the Trial Court directing the defendants to
restore the possession of the suit schedule property and
restore the hut in its place within 90 days from the date of
the judgment and the defendants are directed to remove
the compound wall from the suit schedule property and
remove the stone slabs from its place by way of



mandatory injunction within 90 days from the date of the judgment, learned Counsel for the petitioners/defendants submits that in the written statement filed at the hands of the defendants it was made clear that they have not in any manner sought to interfere with the plaintiff's peaceful possession of the suit schedule property and the defendants have nothing to do with the suit schedule property.

2. Learned Counsel submits that at the relevant point of time defendant No.1 was the Chairman of Parahalli Grama Panchayath and Basaveshwara Temple is also situated next to the suit schedule property and the Temple was being run by a Committee which was constituted to take care of the Temple. The learned Counsel would therefore submit that the plaintiff is free to proceed to get the decree executed in accordance with law, but the plaintiff should not insist that the defendants have to do the needful in terms of the directions issued by the Trial Court.



3. Learned Counsel for the respondent/plaintiff does not contest the submissions made by the learned Counsel for the petitioners/defendants.

4. The Civil Revision Petition is accordingly ***disposed of*** permitting the respondent/plaintiff to proceed to get the judgment and decree executed in accordance with law without insisting that the defendants have to come and hand over the possession to the plaintiff or that they have to remove the compound wall put up on the suit schedule property.

Ordered accordingly.

5. Pending Interlocutory Application(s), if any, stand disposed of.

**Sd/-
(R DEVDAS)
JUDGE**

DL
List No.: 1 Sl No.: 45
CT:JL