



CNR: KAHC010265812021

NC: 2026:KHC:37540
WP No. 13707 of 2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

WRIT PETITION NO. 13707 OF 2021 (GM-CPC)

BETWEEN:

SRI. JAGADEESHA
S/O BALYA NAIKA,
AGED ABOUT 48 YEARS,
RESIDENT OF GADIKOPPA VILLAGE,
SHIVAMOGGA.

...PETITIONER

(BY SRI. GURUPRASAD HEGDE, ADVOCATE FOR
SRI. S.V. PRAKASH, ADVOCATE)

AND:

1. SRI. VENKATESHA NAIKA P
S/O PAPA NAIKA,
AGED ABOUT 33 YEARS,
2. SRI. VENKATESHA K
S/O KASNA NAIKA,
AGED ABOUT 30 YEARS,
3. SRI. DUDYA NAIKA
S/O DEVIYA NAIKA,
AGED ABOUT 44 YEARS,
4. SRI. NAGU NAIKA
S/O MANJA NAIKA,

Digitally signed
by
SHARADAVANI
B
Location: High
Court of
Karnataka





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AGED ABOUT 29 YEARS,

RESPONDENTS 1 TO 4 ARE
RESIDENT OF DUMMALI VILLAGE,
NIDIGE POST, SHIVAMOGGA TALUK - 577 201.

5. SMT. LAKSHMI BAI
W/O PAPA NAIKA,
AGED ABOUT 68 YEARS,

5(A). JAYANNA
S/O LATE PAPA NAIKA
AGED ABOUT 32 YEARS
RESIDENT OF DUMMALI VILLAGE
NIDIGE POST, SHIVAMOGGA TALUK.

6. SMT. GOWRI BAI
W/O LATE PAPA NAIKA,
AGED ABOUT 53 YEARS,

7. SRI. RUDRA NAIKA
S/O KASNA NAIKA,
AGED ABOUT 36 YEARS,

8. SMT. MOTHIBAI
W/O LATE DEVIYA NAIKA,
AGED ABOUT 48 YEARS,

9. SRI. MANJA NAIKA
S/O LATE CHANDYA NAIKA,
AGED ABOUT 58 YEARS,

RESPONDENTS 5 TO 9 ARE
RESIDENT OF DUMMALI VILLAGE,



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NIDIGE POST,
SHIVAMOGGA TALUK - 577 201.

...RESPONDENTS

(R1 TO R4, R6 TO R9, R5(A) ARE SERVED)

THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER DATED 12.07.2021 ON I.A.NO.4 IN O.S.NO.487/2018 BY THE III ADDL. CIVIL JUDGE AND JMFC AT SHIVAMOGGA AND SAME IS HEREWITH PRODUCED AND MARKED AS ANNEXURE-H AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

ORAL ORDER

Learned counsel for the petitioner has filed a memo seeking leave of the court to withdraw the writ petition, with a liberty to file additional written statement.

2. The memo reads as under:

"In the captioned petition, the petitioner sought for quashing of the order dated 12.07.2021 passed on I.A.No.4 by the trial court wherein the trial court permitted the respondents to amend the



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plaint. The petitioner on the legal advice does not want to prosecute the above writ petition and therefore the writ petition may be dismissed as withdrawn reserving liberty to the petitioner to file additional written statement on filing of the amended plaint by the respondents raising the defense as are available to him in law by allowing this memo in the interest of justice."

3. In view of the aforesaid memo, the writ petition is **dismissed** as withdrawn, reserving liberty to the petitioner to file additional written statement to the amended plaint within a period of three weeks.

Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE

SHS
List No.: 1 Sl No.: 9