



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF JULY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 12097 OF 2026 (GM-CPC)

BETWEEN:

SRI Y.N. MANJUNATH
S/O MUNISHAMAPPA
AGED ABOUT 47 YEARS
R/AT YELIUR VILLAGE
CHANNARAYAPATNA HOBLI
DEVANAHALLI TALUK
BANGALORE RURAL DISTRICT.

...PETITIONER

(BY SRI. SHIVAKUMAR N., ADVOCATE)

AND:

1. SRI DODDANNA AND
SMT. GOPAMMA
(DEAD BY THEIR LR'S)
- 1a. SRI D NAGARAJ
S/O DODDANNA
AGED ABOUT 49 YEARS
2. SMT. NAGAMANI
W/O D NAGARAJ
AGED ABOUT 41 YEARS
3. SHOBHARAJ
S/O D NAGARAJ
AGED ABOUT 25 YEARS
4. LEKHANA
D/O D NAGARAJ

Digitally signed
by SUVARNA T
Location: HIGH
COURT OF
KARNATAKA



AGED ABOUT 21 YEARS

ALL RESPONDENTS ARE
R/AT YELIUR VILLAGE
CHANNARAYAPATA HOBLI
DEVANAHALLI TALUK
BANGALORE RURAL DISTRICT-562110.

...RESPONDENTS

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER DATED 12.08.2025 PASSED BY THE COURT OF III ADDL. SENIOR CIVIL JUDGE AND JMFC AT DEVANAHALLI IN O.S. NO.87/2017 ON I.A NO. 6 FILED BY THE DEFENDANTS/RESPONDENTS UNDER ORDER 47 RULE 1 R/W SECTION 151 OF CPC IN ALLOWING THE APPLICATION. A CERTIFIED COPY OF THE ORDER IS HEREBY PRODUCED AS ANNEXURE-A AND ETC.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The office has raised an objection with regard to maintainability in view of Order 43 Rule 1(W) of CPC.

2. Learned counsel for the petitioner submits that the order passed by the Court is without jurisdiction.

3. Whether it is with or without jurisdiction, the remedy available to the petitioner is to file an appeal. The petitioner can raise all these grounds in the appeal.



4. Accordingly, the writ petition is ***dismissed as withdrawn*** with a liberty to avail the appropriate remedy within a period of two weeks from the date of receipt of copy of the order.

5. The registry is directed to return all the documents by retaining the xerox copies.

6. Pending IAs., if any, shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

PKN List No.: 1
SI No.: 47