



CNR: KAHC010293492026

NC: 2026:KHC:36931
CRP No. 412 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JULY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CIVIL REVISION PETITION NO. 412 OF 2026 (IO)

BETWEEN:

MR.KIRAN VENUGOPAL REDDY
S/O R. VENUGOPAL REDDY,
AGED ABOUT 47 YEARS,
R/A NO. 1140, 17TH CROSS,
5TH MAIN, 7TH SECTOR,
HSR LAYOUT, BENGALURU SOUTH,
BENGALURU-560 102

...PETITIONER

(BY SRI. V.B.SHIVAKUMAR, ADVOCATE)

AND:

1. MRS. SHABREEN M.,
W/O MD. AZMATHULLAH KHAN,
AGED ABOUT 35 YEARS,
R/A NO. 566/1,
SARJAPURA VILLAGE,
SARJAPURA HOBLI,
ANEKAL TAUKE
BENGALURU RURAL DISTRICT-562 125
2. MRS. UMME SALMA,
W/O SYED AKRAM,
AGED ABOUT 50 YEARS,
R/A NO. 10, 1ST CROSS,
D.K. STREET, BHARATHI NAGAR,
BENGALURU-560 001
3. MR. IMRAN KHAN,

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by SUVARNA T
Location: HIGH
COURT OF
KARNATAKA



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S/O GAFFAR KHAN,
AGED ABOUT 50 YEARS,
R/A NO.61, 5TH CROSS,
MANJUNATHA NAGAR,
NEW GUDDADAHALLI,
BENGALURU-560 026

4. MR. A. SARDAR KHAN,
S/O A. GHOUSE KHAN,
AGED ABOUT 69 YEARS,
R/A FLAT NO. 206,
2ND FLOOR,
PACIFIC RESIDENCY,
MUNESHWARA LAYOUT,
BENGALURU-560 032
5. MRS. A. REHANA BEGUM,
W/O A. SARDAR KHAN,
AGED ABOUT 57 YEARS,
R/A FLAT NO. 206,
2ND FLOOR,
PACIFIC RESIDENCY,
MUNESHWARA LAYOUT,
BENGALURU-560 032

...RESPONDENTS

THIS CRP FILED UNDER SEC.115 OF CPC., AGAINST THE ORDER DATED 18.03.2026 PASSED ON IA NO.II IN OS NO.948/2025 ON THE FILE OF PRL. CIVIL JUDGE AND JMFC, ANEKAL., DISMISSING THE IA NO.II FILED UNDER ORDER VII RULE 11(a) R/W SEC.151 OF CPC., FOR REJECTION OF PLAINT.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI



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ORAL ORDER

The present Civil Revision Petition is filed by the petitioner/defendant No.5 aggrieved by the order dated 18.03.2026 passed in I.A.No.II in O.S.No.948/2025 by the Principal Civil Judge and JMFC, Anekal, Bengaluru Rural District.

2. Respondent No.1 had filed O.S.No.948/2025 seeking permanent injunction restraining the defendants from disturbing the plaintiff's peaceful possession, enjoyment and occupation of the suit schedule property, or from dispossessing the plaintiff from the suit schedule property. In that, defendant No.5 had filed I.A.No.II under Order VII Rule 11(a) read with Section 151 of the CPC to reject the plaint. In the affidavit filed in support of the I.A., it is stated that the plaintiff is a stranger to the defendants. It is the case of the defendants that they are in possession of the property, and there is no cause of action for the plaintiff to file the suit, and the suit has to be rejected. The application came to be dismissed by the impugned order.

3. While dismissing the application, the trial Court observed that in the plaint, it is stated that defendant No.1 is



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the owner of the suit schedule property. Defendant No.2 is the SPA holder of defendant No.1 in respect of the suit schedule property. Defendant No.2 executed the lease agreement dated 30.02.2025 in favour of the plaintiff in respect of the suit schedule property. On the strength of the said lease agreement, the plaintiff is said to have been inducted into the suit schedule property and is in possession of the same. To protect her possession, she has filed the present suit for permanent injunction. Under these facts and circumstances, it cannot be said that the plaintiff has no cause of action to file the suit, and accordingly, the application was dismissed.

4. Learned counsel for the petitioner/defendant No. 5 submits that in the written statement, it is clearly stated that there is no relationship between the parties and they are in occupation of the property, and that there is no cause of action for the plaintiff to file the suit, and that the Court has to consider all these aspects. It is the contention of the learned counsel for the petitioner that if an application is filed under Order VII Rule 11 of the CPC, the Court has to look at the written statement and pass the orders. It is submitted that the



trial Court has failed to consider the contentions raised in the written statement.

5. Having heard the learned counsel for the petitioner and perused the material on record, the suit is for a permanent injunction. The plaintiff has made out a prima facie case that he is in possession of the property and sought an injunction restraining the defendants from interfering with the property. All the grounds stated by the defendants are matter for trial. It is settled law that when an application is filed under Order VII Rule 11 of CPC, the trial Court will look at the plaint and the documents filed along with the plaint, and will not look at the written statement or any other documents placed in support of the same. It is the submission of the learned counsel for the petitioner that, if an application is filed under Order VII Rule 11 read with Sec. 151 of CPC, the trial Court has to look at the written statement. If that were the case, everybody can file an application under Order VII Rule 11 read with Section 151 of CPC. It is contrary to settled law, and the submission of the petitioner has to be rejected. In the considered opinion of this Court, the trial Court had rightly considered and held that it



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cannot look at the averments in the written statement for considering an application under Order VII Rule 11 of CPC. In that view of the matter, this Court is passing the following:

ORDER

- i. Accordingly, the Civil Revision Petition is ***dismissed.***
- ii. All I.As. in this petition shall stand closed.

**SD/-
(LALITHA KANNEGANTI)
JUDGE**

MEG
List No.: 1 Sl No.: 45