



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF APRIL, 2026

BEFORE

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

WRIT PETITION NO. 13982 OF 2026 (GM-CPC)

BETWEEN:

SRI. MANU MARK IMAM
S/O. LATE HAMZA IMAM @ H.J. IMAM,
AGED ABOUT 63 YEARS,
AGRICULTURIST,
R/O. DODDA BUNGALOW,
DAVANAGERE ROAD, JAGALUR TOWN,
JAGALUR TALUK,
DAVANAGERE DISTRICT-577 528.
SENIOR CITIZEN BENEFIT NOT CLAIMED

...PETITIONER

(BY SRI. VIRUPAKSHIAH P.H., ADVOCATE)

AND:

NOOR FATHIMA BEGUM
W/O. J.K. HUSSAIN MIYA SAB,
AGED ABOUT 77 YEARS, HOUSEHOLD,
R/O. DAVANAGERE ROAD,
JAGALURU TOWN, JAGALUR TALUK,
DAVANAGERE DISTRICT-577 528.

...RESPONDENT

THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT IN THE SIMILAR NATURE DIRECTING THE SENIOR CIVIL JUDGE, DAVANAGERE (SITTING AT JAGALUR) TO TRY AND DISPOSE OF THE PENDING CIVIL MISC.NO.123/2025 VIDE ANNEXURE-E AT THE EARLIEST WITHIN AN OUTER LIMIT OF ONE MONTH AND ETC.

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



CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

In this writ petition, the petitioner has sought the following reliefs:

"i. Issue Writ in the nature of Mandamus or any other Writ or Order or Direction in the similar nature directing the Senior Civil Judge, Davanagere (Sitting at Jagalur) to try and dispose of the pending Civil Misc.No.123/2025 vide Annexure-E at the earliest within an outer limit of one month;

ii. Grant such other relief or relief's as this Hon'ble Court may deems fit to grant in the facts and circumstances of case, in the interest of justice and equity."

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

3. Petitioner is seeking for early disposal of the application filed under Section 24 of CPC before the District and Sessions Judge, Davangere seeking transfer of O.S.No.48/2020 pending before Civil Judge and JMFC, Jagalur to Senior Civil Judge and JMFC, Davangere (Sitting at Jagalur) where O.S.No.131/2019 is pending.



4. Petitioner has filed O.S.No.131/2019 before the Senior Civil Judge, Davangere seeking the relief of declaration and permanent injunction. The respondent herein has filed O.S.No.48/2020 before Civil Judge and JMFC, Jagalur seeking the relief of permanent injunction. Therefore, the petitioner herein has filed an application under Section 24 of CPC., before the District and Sessions Judge, Davanagere seeking transfer of O.S.No.48/2020 pending before the Civil Judge and JMFC, Jagalur to Senior Civil Judge and JMFC, Davangere (Sitting at Jagalur) where O.S.No.131/2019 is pending. Since an application filed by the petitioner herein under section 24 of CPC is not disposed of, the learned counsel for the petitioner is seeking for early disposal of the same.

5. Having regard to the facts and circumstances of the case, and without expressing any opinion on the merits of the matter, this Court deems it appropriate to dispose of the writ petition with a direction to the Trial Court to dispose of the suit as expeditiously as possible.



6. Accordingly, the following order is passed:

ORDER

- a) The writ petition is **disposed of**.
- b) The Trial Court is directed to dispose of the application in accordance with law and as expeditiously as possible, not later than **30.06.2026** from the date of receipt of certified copy of this order, provided there is no order of stay of the said proceedings granted by any Court of law.
- c) Parties are directed to co-operate for early disposal of the application.

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