



CNR: KAHC010376652026

NC: 2026:KHC:43755
WP No. 17316 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 17316 OF 2026 (GM-CPC)

BETWEEN:

1. SMT. JAYAMMA,
W/O LATE VENKATARAMANAPPA,
AGED ABOUT 68 YEARS,
2. PUTTAVEERAMMA
W/O LATE THIMMAPPA @ THIMMAIAH,
AGED ABOUT 66 YEARS,
3. THIMMAKKA
W/O LATE MUDDANNA @ MUDDAPPA,
AGED ABOUT 64 YEARS,
4. HANUMANTHARYA
S/O VENKATARAMAPPA,
AGED ABOUT 49 YEARS,
5. VENKATESHA,
S/O LATE THIMMAPPA @ THIMMAIAH,
AGED ABOUT 47 YEARS,
6. SHANIVARAPPA,
S/O LATE THIMMAPPA @ THIMMAIAH,
AGED ABOUT 43 YEARS,
7. SREENIVASA
S/O LATE MUDDANNA @ MUDDAPPA,
AGED ABOUT 45 YEARS,

ALL ARE R/AT KADILAPURA VILLAGE,



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HOLAVANAHALLI HOBLI,
KORATAGERE TALUK,
TUMAKURU DIST. – 572 121.

...PETITIONERS

(BY SRI. HARSHA G., ADVOCATE FOR
SMT. RADHA R, ADVOCATE)

AND:

1. RAVIKUMARA K V,
W/O LATE VENKATASHAMAIHA,
AGED ABOUT 36 YEARS,
2. VENKATAPPA,
S/O LATE THIMMAIAH,
AGED ABOUT 63 YEARS,
3. LAKSHMIDEVAMMA,
W/O T.RAMAIHA,
AGED ABOUT 50 YEARS,
4. VINODHA
S/O LATE T. RAMAIAH,
AGED ABOUT 28 YEARS,
5. YASHVANTHA
S/O LATE RAMAIAH,
AGED ABOUT 25 YEARS,
ALL ARE R/AT KADILAPURA VILLAGE,
HOLAVANAHALLI HOBLI,
KORATAGERE TALUK,
TUMAKURU DIST. – 572 121
6. LAKSHAMANA
S/O LATE THIMMAIAH,
AGED ABOUT 59 YEARS,
7. YASHODHAMMA,
S/O LATE THIMMAIAH,
AGED ABOUT 49 YEARS,



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8. K T RAJANNA,
S/O LATE THIMMAIAH,
AGED ABOUT 69 YEARS,

RESPONDENT NO.6 TO 8 ARE
R/AT KADILAPURA VILLAGE,
HOLAVANAHALLI HOBLI,
KORATAGERE TALUK,
TUMAKURU DIST. – 572 121.

9. VENKATESHA
S/O LATE THIMMAPPA,
AGED ABOUT 56 YEARS,

10. SREENIVAS,
S/O LATE THIMMAPPA,
AGED ABOUT 53 YEARS,

11. RAMAKRISHNA
S/O LATE THIMMAPPA,
AGED ABOUT 51 YEARS

12. VENKATARAJU,
S/O LATE THIMMAPPA,
AGED ABOUT 41 YEARS,

RESPONDENTS NO.9 TO 12 ARE
RESIDING AT BADRAIAHNAPALYA VILLAGE,
HOLAVANAHALLI HOBLI, KORATAGERE TALUK,
TUMAKURU DIST-572121.

13. KAMANNA
S/O LATE VENKATARAVANAPPA
AGED ABOUT 63 YEARS,
RESIDING AT KADILAPURA VILLAGE,
HOLAVANAHALLI HOBLI,
KORATAGERE TALUK,
TUMAKURU DIST. – 572 121.



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14. LAKSHAMAMMA
W/O LATE THIMMAPPA,
AGED ABOUT 78 YEARS,
R/AT BHADRIAHANAPALYA VILLAGE,
HOLAVANAHALLI HOBLI,
KORATAGERE TALUK – 572 121.
15. VENKATAMMA
D/O LATE VENKATASHAMIAHA,
AGED ABOUT 32 YEARS,
16. VENKATAPPA,
S/O LATE VENKATRAVANAPPA,
AGED ABOUT 30 YEARS,
17. VENKATARAVANAPPA
S/O BHEEMIAH,
AGED ABOUT 70 YEARS
18. VENKATARAMU,
S/O LATE BHEEMIAH,
AGED ABOUT 68 YEARS,
19. CHIKKAVENKATAPPA
S/O LATE BHEEMIAH,
AGED ABOUT 65 YEARS,
20. ASWATHAPPA,
S/O LATE. BHEEMIAH,
AGED ABOUT 63 YEARS,
21. GOVINDARAJU,
S/O VENKATAPPA,
AGED ABOUT 55 YEARS,
22. GANGAMMA,
D/O VENKATAPPA,
AGED ABOUT 53 YEARS,
NO. 15 TO 22 ALL ARE



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R/AT KADILAPURA VILLAGE,
HOLAVANAHALLI HOBLI,
KORATEGERE TALUK,
TUMAKURU DISTRICT – 572 121.

...RESPONDENTS

THIS W.P IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 10.03.2026 PASSED IN CIVIL MISC. NO.19/2025 BY THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, TUMAKURU, PRODUCED UNDER ANNEXURE-A AND ETC.,

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

Aggrieved by the order passed in Civil Misc.No.19/2025 dated 10.03.2026 by the Principal District and Sessions Judge, Tumkur, the petitioner is before this Court.

2. The petitioner herein has filed O.S.No.181/2021 seeking a declaration and injunction, and another suit O.S.No.250/2024 has been filed seeking partition. According to the petitioner, some of the parties in this suit and the parties in the other suit are one and the same. As such, O.S.No.250/2024 shall be transferred and tried along with O.S.No.181/2021, which was dismissed by the trial court by the impugned order.



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The trial court has observed that both properties have different market values and fall under different pecuniary jurisdictions. Since the properties involved in both suits are different and the pecuniary jurisdiction of both suits is different, both suits can be tried separately, and there is no need to transfer either suit to any court. The petitioner has not made out any grounds for transferring the suit to any one of the courts and, accordingly, the petition was dismissed.

3. Learned counsel for the petitioner submits that, because some of the parties are common to both cases, to avoid conflicting judgments, it is necessary to transfer the case, and the trial court failed to consider the petitioner's case and dismissed the application.

4. Having heard the learned counsel for the petitioner and perused the material on record, it is noted that one suit is for declaration and the other is for partition. Both suits are pending, one before the Junior Division Court and the other before the Senior Division Court. The plaintiff in the partition suit is not a party to the petitioner's suit. In those circumstances, the submission that, as the properties are one



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and the same, OS.No.250/2024 should be transferred and tried along with O.S.No.181/2021, which is pending, has no legs to stand on, and the trial Courts had rightly considered and dismissed the petition. There is no reason to interfere with the order passed by the trial Court. In that view of the matter, this Court is passing the following:

ORDER

- i. Accordingly, the Writ Petition is ***dismissed.***
- ii. Pending I.As in the petition shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

TS
List No.: 1 Sl No.: 9