



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 18322 OF 2026 (GM-RES)

BETWEEN:

MAHANTESH H
S/O. LATE. HANUMANTHAPPA,
AGED ABOUT 48 YEARS,
R/AT., DODDABATHI VILLAGE,
DAVANAGERE TALUK AND DISTRICT - 577 566
...PETITIONER

(BY SRI. CHAKRAVARTHY T.S., ADVOCATE)

AND:

1. SRI SIDDESH
S/O. LATE. HANUMANTHAPPA,
AGED ABOUT 60 YEARS,
R/AT. DODDABATHI VILLAGE,
DAVANAGERE TALUK AND DISTRICT - 577 566
2. SMT. RENUKA,
W/O SHANKRAPPA,
D/O. LATE HANUMANTHAPPA,
AGED ABOUT 45 YEARS,
R/AT. THOPENAHALLI - VILLAGE,
CHANNAGIRI TALUK,
DAVANAGERE DISTRICT - 577 213
3. SMT. VASANTHAMMA
W/O. VENKATESH,
D/O. LATE. HANUMANTHAPPA,

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



AGED ABOUT 43 YEARS,
R/AT. DODDABATHI VILLAGE,
DAVANAGERE TALUK AND DISTRICT - 577 566

4. SRI. RAGHAVENDRA
S/O SHEKARAPPA,
AGED BOUT 40 YERS,
R/AT. CHIKKABBIGERE - VILLAGE,
CHANNAGIRI TALUK,
DAVANAGERE DISTRICT - 577 522

...RESPONDENTS

(NOTICE TO RESPONDENTS ARE DISPENSED WITH)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO I) ISSUE WRIT/ORDER QUASHING THE COMPROMISE DECREE DATED 11/07/2025, PASSED IN O.S.NO.452/2025 BY THE HONBLE I ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, DAVANAGERE. (VIDE ANNEXURE-A) AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Petitioner is before this Court seeking for the following reliefs:

" i) *Issue writ/order quashing the compromise decree dated 11/07/2025, passed in O.S.No.452/2025 by the Hon'ble I Additional Senior Civil Judge & JMFC, Davanagere (vide Annexure-A).*

ii) *Declare that the compromise petition filed under Order XXIII Rule 3 CPC is null and void and not binding on the petitioner;*



iii) Set aside the impugned order dtd 11/07/2025 and restore the O.S.No.452/2025 by the Hon'ble I Additional Senior Civil Judge & JMFC, Davanagere (Annexure-A) for fresh adjudication and disposal on merits, in accordance with law,

iv) Grant such other reliefs as this Hon'ble Court deems fit under the circumstances of the case."

2. The petitioner had filed a suit in O.S.No.452/2025 before the Principal Civil Judge and JMFC, Davangere. The matter was referred to the Lok-Adalath when a settlement came to be arrived at between the parties. A compromise petition under Order XXIII Rule 3 of CPC came to be filed and the same was duly signed by the petitioner, who was the plaintiff thereon and the respondents, who were defendants thereon. The said compromise has been accepted and the compromise decree has been directed to be drawn up. The petitioner is before this Court challenging said compromise.
3. The grounds on which the above challenge is made is that the compromise is illegal, *void ab initio* and not binding on the petitioner on account of the fact that the compromise was not voluntary and was obtained under coercion, undue influence and misinterpretation. As



regards that, the submission made is that the distribution of the properties between the plaintiff and the defendants is not equal. The plaintiff got one portion of the property whereas the defendants got a larger portion of the property.

4. On perusal of the compromise petition indicates that the compromise petition has been signed by the petitioner in fact, there is a admission to that effect even in the petition. There being 4 defendants and 1 plaintiff, the land has been divided and partition has been agreed to in the said compromise petition. After the execution of the compromise petition before the Lok-Adalath and the acceptance of the same before the Lok-Adalath, it cannot be now contended that the agreement arrived at in the compromise petition is not equitable.
5. The compromise being in the nature of an agreement, it is for the parties to arrive at an agreement in whatever manner they deemed it, so long as it is in accordance with law. Parties having arrived at an agreement by way of compromise and decree being directed to drawn up,



the same cannot be challenged, on the said ground that,
the compromise is inequitable.

6. No grounds have been made out. The petition stands
dismissed.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

PHM
List No.: 1 Sl No.: 12