



CNR: KAHC010535152026

NC: 2026:KHC:41947
WP No. 24354 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 24354 OF 2026 (GM-CPC)

BETWEEN:

SRI. V. SUBRAMANI
S/O M VENKATESHAPPA
AGED ABOUT 50 YEARS
R/AT VADAGURU VILLAGE
HUTHRU HOBLI, KEMBODI POST
KOLAR TALUK - 563 103

...PETITIONER

(BY SRI. SAMPATH A., ADVOCATE)

AND:

M/S. INTEGRATED FOOD PARK PRIVATE LIMITED
COMPANY ACT 2013
NO. 18/1 PASADENA BUILDING
ASHOKA PILLER ROAD, 10TH MAIN,
JAYANAGARA 19TH BLOCK BENGALURU 11
REPRESENTED BY ITS MANAGING DIRECTOR

PRESENT ADDRESS PLAINT CODE
A-DIV OF FUTURE CONSUMER LIMITED
SY NO. 99, CHEEMASANDRA VILLAGE
VIRGO NAGAR POST
BENGALURU - 049
INTEGRATED FOOD PARK LIMITED
VASANTHANAPURA, INDUSTRIAL AREA 3RD PHASE
KORA HOBBI, TUMKUR TALUK - 572 128

...RESPONDENT

Digitally signed
by SUVARNA T
Location: HIGH
COURT OF
KARNATAKA



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THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI QUASHING THE ORDER DATED 23-02-2026 PASSED ON I.A.NO.07 IN O.S.NO.314/2018 BY THE LEARNED III ADDITION SENIOR CIVIL JUDGE AND JMFC AT KOLAR VIDE ANNEXURE-A.

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 on I.A.No.7 in O.S.No.314/2018 dated 23.02.2026 by the III Additional Senior Civil Judge and JMFC at Kolar, the petitioner/plaintiff is before this Court.

2. The plaintiff herein has filed a suit for eviction and recovery of rent. In the said suit, he has filed I.A.No.7 under Order XI Rule 16 read with Section 151 of the CPC, seeking to issue summons to or direct the defendant to produce the document referred to in the written statement at paragraph Nos.3 and 4 on pages Nos.2 and 3, in respect of the original



CNR: KAHC010535152026

Lease Deed dated 30.01.2015, which came to be dismissed by the order impugned.

3. While rejecting the application, the Trial Court observed that, at the time of filing the suit, the plaintiff had not stated who possessed the original Lease Deed dated 30.01.2015. As per paragraph No.9 of the plaint, it is pleaded that the plaintiff is producing the original Lease Deed dated 30.01.2015. Nowhere has he stated that the original Lease Deed is in the custody of the defendant.

4. On the other hand, the defendant has taken a stand with regard to the Lease Deed, but he has nowhere pleaded that the original Lease Deed is in his custody. The defendant has denied that the original Lease Deed is in his custody, and accordingly, the Trial Court has rejected the application.

5. Learned counsel appearing for the petitioner submits that it is a typographical mistake in the said plaint, wherein it has been stated that the original lease deed is placed before the Court. In fact, what is placed before the Court is a



CNR: KAHC010535152026

Xerox copy, as noted on the first date of hearing. He has drawn the attention of the Court to the Lease Deed and submitted that the Lease Deed clearly stipulates that the original Lease Deed is with the tenant and a copy of the same is with the owner of the property. It is submitted that the Trial Court ought to have allowed the application and directed the defendant to produce the document.

6. Having heard the learned counsel for the petitioner, perused the material on record. The Trial Court, without going into the facts as to what has been stated in the plaint by the petitioner, which is clarified thereafter, finds that, according to the defendant, the original document is not in his possession. In those circumstances, the trial Court cannot direct the defendant to produce a document which, according to him, is not in his possession. Considering the same, the trial Court has rejected the application filed by the petitioner. Hence, this Court do not find any infirmity in the order impugned. In view of the above discussions, this Court is passing the following:



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ORDER

- i. Accordingly, the writ petition is ***dismissed***.
- ii. Pending IAs, if any, shall stand closed.

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

SMC
List No.: 1 Sl No.: 21