



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF APRIL, 2026

BEFORE

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

WRIT PETITION NO.31397 OF 2025 (GM-CPC)

BETWEEN:

1. SMT. K.R. MANJULA,
WIFE OF H.R.RANGANATHA
AGED ABOUT 57 YEARS
RESIDING AT 'LAKSHMIRANGANATHA NILAYA'
S.B.M. LAYOUT, SIDDARAMESHWARA
EXTENSION EAST, BATAWADI
TUMAKURU CITY-572103.

...PETITIONER

(BY SRI. P.M.SIDDAMALLAPPA, ADVOCATE)

AND:

1. SMT. SUJATHA B.P.,
DAUGHTER OF PUTTARASAIHAH
WIFE OF LATE MAHESH D.S.
AGED ABOUT 52 YEARS,
RESIDING AT NEAR SHANTHINIKETHANA SCHOOL
SIDDARAMESHWARA EXTENSION EAST
BATAWADI, TUMAKURU CITY-572103.
2. SRI. B.P.RAMACHANDRA @ RAMA
SON OF PUTTARASAIHAH
AGED ABOUT 50 YEARS
RESIDING AT NEAR SHANTHINIKETHANA SCHOOL
SIDDARAMESHWARA EXTENSION EAST
BATAWADI, TUMAKURU CITY-572103.

...RESPONDENTS

(BY SRI. T. SESHAGIRI RAO, ADVOCATE FOR R1 AND R2)



THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO-SET ASIDE THE IMPUGNED ORDER DATED 12.09.2025, PASSED IN MA NO.67/2024 PASSED BY THE LEARNED I ADDL. SENIOR CIVIL JUDGE AND CJM, TUMAKURU AS PER ANNEXURE-G.

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

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

ORAL ORDER

1. In this writ petition, the petitioner-plaintiff has called in question the judgment dated 12.09.2025 passed by the I Addl. Senior Civil Judge and CJM, Tumakuru (for short 'First Appellate Court') in M.A.No.67/2024, whereby the said appeal has been allowed and order dated 05.12.2024 passed by the VI Addl. Civil Judge and JMFC, Tumakuru (for short 'Trial Court') on an application filed under Order XXXIX Rule 1 and 2 of CPC in O.S.No.254/2023 has been set aside.

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



3. The plaintiff filed a suit in O.S.No.254/2023 before the Trial Court seeking for relief of permanent injunction. Along with the suit, plaintiff filed an application under Order XXXIX Rule 1 and 2 of CPC seeking for an order of temporary injunction. The Trial Court, by order dated 05.12.2024, allowed the application and granted an order of temporary injunction restraining the defendants, their agents, servants or anybody acting on their behalf from interfering with plaintiff's peaceful possession and enjoyment over the suit schedule property, pending disposal of the suit. Aggrieved by the said order passed by the Trial Court, the defendants filed M.A.No.67/2024 under Order XLIII Rule 1(r) of CPC before the First Appellate Court. The First Appellate Court, by impugned order dated 12.09.2025 has allowed the appeal and set aside the order of temporary injunction passed by the Trial Court. Being aggrieved by the judgment passed by the First Appellate Court, the plaintiff is before this court.



4. It is submitted that the matter is now set down for evidence of parties before the Trial Court.

5. Therefore, having regard to the facts and circumstances of the case, and in the interest of justice, this Court is of the considered opinion that the writ petition can be disposed of by directing the parties to maintain status quo with regard to the suit schedule property until disposal of the suit.

6. Accordingly, the following order is passed:

ORDER

- a) The writ petition is disposed of.
- b) The judgment dated 12.09.2025 passed by the I Addl. Senior Civil Judge and CJM, Tumakuru, in M.A.No.67/2024, is hereby modified.
- c) Parties are directed to maintain status-quo in respect of the suit schedule property, till the disposal of the suit.



- d) The Trial Court is directed to dispose of the suit in accordance with law and as expeditiously as possible, not later than four months 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.
- e) Parties are directed to co-operate for early disposal of the suit.

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

DM
List No.: 1 Sl No.: 60