IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

HON'BLE MS. JUSTICE TARA VITASTA GANJU

WRIT PETITION NO.14031 OF 2024 (GM-CPC)

BETWEEN:

1. SMT. MUNIANJINAMMA
   W/O AKKAPPA
   AGED ABOUT 70 YEARS
   R/AT KALKERE-VILLAGE,
   K R PURAM, HOBLI,
   BENGALURU EAST TALUK,
   BENGALURU – 560 043

2. SRI. M AKKAPPA
   S/O LATE DODDAMADAPPA
   AGED ABOUT 73 YEARS
   R/AT KALKERE VILLAGE,
   K R PURAM, HOBLI,
   BENGALURU EAST TALUK,
   BENGALURU – 560 043

...PETITIONERS

(BY SRI. NAGA REDDY V, ADVOCATE - ABSENT)

Digitally signed by JAI JYOTHI J
Location: HIGH COURT OF KARNATAKA

AND:

1. SRI. RAMANJINAPPA
   S/O LATE DODDAHANUMANTHAPPA
   AGED ABOUT 40 YEARS
   R/AT KALKERE-VILLAGE,
   K R PURAM HOBLI,
   BENGALURU EAST TALUK,
   BENGALURU – 560 043

2. SRI. REVANNA
   S/O LATE K MADAPPA

AGED ABOUT 58 YEARS
R/AT KALKERE-VILLAGE,
K R PURAM, HOBLI,
BENGALURU EAST TALUK,
BENGALURU – 560 043

3. SRI. BASAVARAJU
S/O LATE K MADAPPA
AGED ABOUT 55 YEARS
R/AT KALKERE-VILLAGE,
K R PURAM, HOBLI,
BENGALURU EAST TALUK,
BENGALURU – 560 043

4. SRI. PUTTASWAMY
S/O LATE K MADAPPA
AGED ABOUT 50 YEARS
R/AT KALKERE-VILLAGE,
K R PURAM, HOBLI,
BENGALURU EAST TALUK,
BENGALURU – 560 043

5. SRI. NANDEESHA
S/O LATE SANJEEVAPPA
AGED ABOUT 32 YEARS
R/AT K CHANNASANDRA-VILLAGE,
K R PURAM, HOBLI,
BENGALURU EAST TALUK,
BENGALURU – 560 043

6. SRI. K MADESHA
S/O KAVERAPPA
AGED ABOUT 40 YEARS
R/AT K CHANNASANDRA-VILLAGE,
K R PURAM, HOBLI,
BENGALURU EAST TALUK,
BENGALURU – 560 043

7. SRI. D H SUNIL KUMAR
S/O LATE DODDAHANUMANTHAPPA
AGED ABOUT 40 YEARS

R/AT K CHANNASANDRA-VILLAGE,
K R PURAM, HOBLI,
BENGALURU EAST TALUK,
BENGALURU – 560 043

…RESPONDENTS

THIS W.P. IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT/ORDER/DIRECTION IN THE NATURE OF CERTIORARI / ANY ORDER / ANY OTHER WRIT TO SET ASIDE THE IMPUGNED ORDER DATED 04.04.2024 PASSED ON I.A NO.1/2024 BY VII ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, BENGALURU RURAL DISTRICT AT BENGALURU IN O.S NO.655/2024 FOUND AT ANNEXURE-A AND CONSEQUENTLY PASS THE APPROPRIATE ORDER TO ALLOW THE I.A.NO.1; AND ETC

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

CORAM: **HON'BLE MS. JUSTICE TARA VITASTA GANJU**

ORAL ORDER

1. On the last date of hearing on 29.10.2026, the following order was passed:

> *"1. None appears for the petitioners, despite the matter being called out twice. On the last date of hearing also, there was no representation.*
>
> *2. The challenge in the present petition is to an Order dated 04.04.2024 passed by the learned VII Additional Senior Civil Judge & JMFC, Bangalore Rural District, Bangalore, on I.A.No.1/2024 in O.S.No.655/2024*

[hereinafter referred to as the "Impugned Order"]. By the Impugned Order, the learned Trial Court refused to grant a temporary injunction to the petitioners, but instead issued emergent notice on I.A.1 and suit summons to defendants No.1 to 7. It is this order which is under challenge in this petition.

3. The Impugned Order is an appealable order in terms of Order XLIII Rule 1(r) of the Code of Civil Procedure, 1908. Thus, the petition, in any case, cannot proceed.

4. A final opportunity is granted for appearance on behalf of the petitioners.

5. List for 'Dismissal' on 30.10.2026."

2. This matter has been called out twice today. There is no presence on behalf of the petitioners. There was no presence on behalf of the petitioners on the previous date of hearing as well. In any event, as reproduced above, the order impugned is an appealable order. Thus, the petition cannot proceed.

3. Accordingly, the petition is ***dismissed.*** All pending applications stand closed.

4. However, liberty is granted to the petitioners to take appropriate steps in accordance with law, for redressal of

their grievances, if they so deem fit, in accordance with law.

5. It is clarified that this Court has not examined the claim of the petitioners on merits. The rights and contentions of both parties are left open to be adjudicated before the Trial Court.

Digitally signed by
TARA VITASTA GANJU
Location: HIGH COURT
OF KARNATAKA

(TARA VITASTA GANJU)
JUDGE

KS
List No.: 2 Sl No.: 3