IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF APRIL, 2026

BEFORE

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

WRIT PETITION NO. 12821 OF 2025 (GM-CPC)

BETWEEN:

1. SMT SARALA SHEKAR
AGED ABOUT 50 YEARS,
W/O. LATE SHEKAR BABU.
RESIDING AT NO. 64,
'KRUTHIKA NIVAS', SHANTHINAGAR,
SULIBELE ROAD, WARD NO. 22,
DEVANAHALLI TOWN,
BENGALURU RURAL DISTRICT.

2. MS. ARPITHA .S,
AGED ABOUT 29 YEARS,
D/O. LATE SHEKAR BABU.
RESIDING AT NO. 64, 'KRUTHIKA NIVAS',
SHANTHINAGAR, SULIBELE ROAD,
WARD NO. 22, DEVANAHALLI TOWN,
BENGALURU RURAL DISTRICT.

Digitally signed by DHANALAKSHMI MURTHY
Location: HIGH COURTOF KARNATAKA

3. MS. SUPRITHA .S,
AGED ABOUT 27 YEARS,
D/O. LATE SHEKAR BABU.
RESIDING AT NO. 64, 'KRUTHIKA NIVAS',
SHANTHINAGAR, SULIBELE ROAD,
WARD NO. 22, DEVANAHALLI TOWN,
BENGALURU RURAL DISTRICT. .. PETITIONERS

(BY SRI. LOKESH R.,ADVOCATE)

AND:

1. SMT HEMAVATHI
   W/O. SRI. MANJUNATH,
   AGED ABOUT 38 YEARS,
   R/AT NO. 331, KANAKAPURA MAIN ROAD,
   GANIGARAPALYA CROSS, VAJARAHALLI,
   THALAGHATTAPURA POST,
   BENGALURU SOUTH TALUK,
   BENGALURU - 560 062.

2. SRI. VENKATESH,
   S/O. LATE MUNISHAMAPPA,
   AGED ABOUT 70 YEARS, BOTH ARE R/AT
   NO.MURALUBAGILU VILLAGE 9TH WARD
   DEVANAHALLI TOWN
   BENGALURU RURAL DISTRICT .. RESPONDENTS

(BY SRI. S V PRAKASH.,ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 14/03/2025 VIDE ANNX-A PASSED BY THE I ADDL. SENIOR CIVIL JUDGE, DEVAHANALLI AND ALLOW THE APPLICATIONS I.A. NOS. I AND II VIDE ANNX-R AND S FILED BY THE PETITIONERS THEREBY GRANTING THE RELIEFS AS SOUGHT FOR THEREIN.

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

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

ORAL ORDER

This writ petition is filed by the plaintiffs under Article 227 of the Constitution of India, challenging the order dated 14.03.2025 passed on I.A. Nos. I and II in O.S.No.313/2025 by the Additional Senior Civil Judge and JMFC, Devanahalli (for short, "trial court"), whereby no order has been passed on the applications by the plaintiffs filed under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure (for short, "CPC").

2. For the sake of convenience, the parties are referred to as per their ranking before the trial court.

3. The plaintiffs filed a suit in O.S. No. 313/2025 before the trial court seeking the relief of declaration. Along with the suit, the plaintiffs also filed I.A. Nos. I and II under Order XXXIX Rules 1 and 2 of the CPC. The trial court, by order dated 24.03.2025, only issued suit summons to the defendants along with an emergent notice on I.A. Nos. I and II and has not passed any order on the

applications. Aggrieved by the impugned order, the present petition is filed.

4. In view of the above, without expressing any opinion on the merits of the case, the writ petition stands disposed of, directing the trial court to dispose of I.A. Nos. I and II in O.S. No. 313/2025 as expeditiously as possible, and not later than the end of July 2026. Till then, the interim order granted by this Court shall continue.

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

CM
List No.: 1 Sl No.: 69