HC-KAR
CNR: KAHC010571602026

NC: 2026:KHC:54611
WP No. 26127 of 2026
C/W WP No. 20955 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 26127 OF 2026 (GM-CPC)
C/W
WRIT PETITION NO. 20955 OF 2026 (GM-CPC)

IN WP No. 26127/2026:

BETWEEN:

SRI DHANANJAYA R
AGED ABOUT 41 YEARS,
S/O. RAMANJINAPPA,
YARAPPANAHALLI VILLAGE,
DODDAGUBBI POST,
BIDARAHALLI HOBLI,
BENGALURU EAST TALUK
BENGALURU-560077.

...PETITIONER

(BY SRI. PRANESH CHANDRA, ADVOCATE)

Digitally signed by JUANITA THEJESWINI
Location: HIGH COURT OF KARNATAKA

AND:

1. SRI SURESH KUMAR R
   S/O. RAMANJINAPPA
   AGED ABOUT 39 YEARS,
   R/AT NO.55/3, YARAPPANAHALLI
   DODDAGUBBI POST, BIDARAHALLI HOBLI
   BENGALURU EAST TALUK
   BENGALURU-560077.

2. SRI. KODANDA RAMAIAH
   S/O LATE CHIKKAMUNITHAYAPPA
   AGED ABOUT 77 YEARS
   R/AT NO.55, YARAPPANAHALLI VILLAGE,

DODDAGUBBI POST,
BIDARAHALLI HOBLI,
BENGALURU EAST TALUK
BENGALURU-560077.

3. SRI. C. DUMPE GOWDA
S/O LATE CHIKKAMUNITHAYAPPA
AGED ABOUT 75 YEARS
R/AT NO.26, CHANNAKESHAVA SWAMY NILAYA,
5TH CROSS BLOCK-3, HRBR LAYOUT,
KALYAN NAGAR,
BENGALURU-560043.

4. SRI. RAMANJINAPPA C.
S/O. LATE CHIKKAMUNITHAYAPPA
AGED ABOUT 73 YEARS
YARAPPANAHALLI VILLAGE,
DODDAGUBBI POST,
BIDARAHALLI HOBLI,
BENGALURU EAST TALUK
BENGALURU-560077.

5. SMT. KAVITHA
D/O. RAMANJINAPPA
AGED ABOUT 39 YEARS
YARAPPANAHALLI VILLAGE,
DODDAGUBBI POST, BIDARAHALLI HOBLI,
BENGALURU EAST TALUK
BENGALURU-560077.

…RESPONDENTS

(BY SRI. MANJUNATH S.V., ADVOCATE FOR C/R1)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE ORDER DATED 05-06-2026 PASSED ON IA FILED UNDER ORDER I RULE 10(2) OF CPC R/W 23 RULE 1A R/W 151 OF C.P.C PASSED BY II ADDITIONAL SENIOR CIVIL JUDGE, BENGALURU RURAL DISTRICT AT BENGALURU IN O.S NO.1299/2022 (ANNEXURE-A).

IN WP NO. 20955/2026:

BETWEEN:

SRI DUMPE GOWDA
S/O LATE CHIKKAMUNITHAYAPPA
AGED ABOUT 71 YEARS,
RESIDING AT NO.26,
CHANNAKESHAVA SWAMY NILAYA,
5TH CROSS, BLOCK-3, HRBR LAYOUT,
KALYAN NAGAR,
BANGALORE-560043.

...PETITIONER

(BY SRI. B.L. NANDA KUMAR, ADVOCATE)

AND:

1. SRI SURESH KUMAR R
S/O RAMANJINAPPA
AGED ABOUT 43 YEARS,
RESIDING AT YARAPPANAHALLI,
DODDAGUBBI POST,
BIDARAHALLI HOBLI,
BANGALORE EAST TALUK,
BANGALORE- 560077.

2. SRI. KODANDA RAMAIAH
S/O LATE CHIKKAMUNITHAYAPPA
AGED ABOUT 76 YEARS
RESIDING AT YARAPPANAHALLI,
DODDAGUBBI POST,
BIDARAHALLI HOBLI,
BANGALORE EAST TALUK,
BANGALORE-560077.

3. SRI RAMANJINAPPA
S/O LATE CHIKKAMUNITHAYAPPA
AGED ABOUT 69 YEARS,
RESIDING AT YARAPPANAHALLI,

DODDAGUBBI POST, BIDARAHALLI HOBLI,
BANGALORE EAST TALUK,
BANGALORE- 560077.

4. SRI. DHANANJAYA R.
S/O RAMANJINAPPA
AGED ABOUT 37 YEARS,
RESIDING AT YARAPPANAHALLI,
DODDAGUBBI POST, BIDARAHALLI HOBLI,
BANGALORE EAST TALUK,
BANGALORE-560077.

5. SMT. KAVITHA R.
D/O RAMANJINAPPA
AGED ABOUT 35 YEARS,
RESIDING AT YARAPPANAHALLI,
DODDAGUBBI POST,
BIDARAHALLI HOBLI,
BANGALORE EAST TALUK,
BANGALORE-560077

...RESPONDENTS

(BY SRI. S.V. MANJUNATH, ADVOCATE FOR C/R1)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE ORDER PASSED BY THE PRINCIPLE SENIOR CIVIL JUDGE, BANGALORE RURAL DISTRICT AT BANGALORE, IN O.S. NO.1299/2022, DATED 5-6-2026, IN REJECTING THE I.A. NO.1/2025 FILED BY THE PETITIONER UNDER ORDER 1 RULE 10(6) OF CPC, VIDE ANNEXURE-A, BY ALLOWING THE IA NO.1, FILED BY THE PETITIONER BEFORE THE TRIAL COURT.

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

Both these writ petitions are directed against the impugned orders passed by the learned II Addl. Senior Civil Judge, Bengaluru Rural District, in O.S.No.1299/2022.

2. In a suit for partition and separate possession, defendant No.2 has filed written statement and has raised counter claim. Nevertheless, separate IAs are filed by defendant No.2 and defendant No.4 seeking to transpose them as plaintiffs. Both the applications have been dismissed by the trial court on the ground that defendant No.2 has already filed written statement and has raised a counter claim. If it is the contention of the defendants that some immovable properties have been left out of the suit schedule, then they may seek to include the same in the suit schedule in accordance with law. For that purpose, the defendants need not be transposed as plaintiffs. This Court does not see any infirmity in the impugned orders passed

by the trial Court. Accordingly, the writ petitions are ***dismissed***.

3. However, liberty is reserved to the defendants to file necessary application to include some immovable properties if they are left out of the suit schedule. If such application is filed by the defendants, the same shall be considered by the trial Court in accordance with law.

Sd/-
(R DEVDAS)
JUDGE

KLY
CT:SM
List No.: 1 Sl No.: 27