HC-KAR

NC: 2026:KHC:59664
WP No. 26423 of 2026

CNR: KAHC010574392026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION NO. 26423 OF 2026 (GM-CPC)

BETWEEN:

1. SRI.B.N.NEETISH PURSUSHOTTAMA
S/O SRI.N.NAGARAJA,
AGED ABOUT 40 YEARS
R/AT 69, MANJUNATHA NILAYA
GARUDACHAR PALYA, MAHADEVPURA POST
BENGALURU 560 048.

...PETITIONER

(BY SRI SRINIVASAN T., ADVOCATE)

AND:

Digitally signed by VINUTHA B S
Location: High Court of Karnataka

1. SRI.H.MYLARAPPA
S/O.LATE SRI.T.M.PILLA HANUMAIAH
AGED ABOUT 74 YEARS.

2. SMT GEETHA
W/O.SRI.H.MYLARAPPA
AGED ABOUT 66 YEARS.

3. SRI.NAVEEN KUMAR.M.,
S/O.SRI.H.MYLARAPPA
AGED ABOUT 43 YEARS.

4. SMT.KAVITHA.M
D/O.SRI.H.MYLARAPPA
AGED ABOUT 38 YEARS.

5. SRI.RAJESH.M
S/O.SRI.H.MYLARAPPA
AGED ABOUT 35 YEARS

RESPONDENTS No.1 TO 5
PRESENTLY R/AT 20/13,
3RD CROSS, AJJAPPA BLOCK,
DINNUR, R.T.NAGAR POST
BENGALURU - 560032.

6. SMT.A.R.KANTHALAKSHMI
W/O.SRI.R.RAMESH BABU
AGED ABOUT 64 YEARS
R/AT 422, 'RATHNA MAHAL'
3RD CROSS, R.P.SINGH ROAD
OLD EXTENSION, KRISHNARAJAPURA,
BENGALURU 560 036.

7. SRI.CHETHAN P. TAYAL
S/O.LATE SRI.N.K.TAYAL
AGED ABOUT 71 YEARS
R/AT 66, 'FORTUNE VALLEY' 13,
DASARAHALLI MAIN ROAD
BENGALURU - 560 024.

8. SRI.AJAY SINGHAL
S/O.SRI.B.D.SINGHAL
AGED ABOUT 65 YEARS
E-115, ASHOK VIHAR, PHASE-I
NEW DELHI - 52.
REPTD.BY HIS GPA HOLDER
SRI.CHETHAN P. TAYAL
S/O.LATE SRI.N.K.TAYAL
AGED ABOUT 71 YEARS
R/AT 66, 'FORTUNE VALLEY' 13,
DASARAHALLI MAIN ROAD,
BENGALURU - 560 024.

9. SRI.VENKATESH
PROPRIETOR - SS ENTERPRISES
HOSKOTE
BENGALURU RURAL DISTRICT.
NO. 58C CHAKAHALLI INDUSTRIAL AREA
PILLAMGUNTE, CHINTAMANI ROAD,
BENGALURU-562114.

…RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER DATED 20.07.2026 TO THE EXTENT DECLINING TO GRANT AD INTERIM ORDER OF TEMPORARY INJUNCTION ON I.AS., NO.1 AND 2 BY SENIOR CIVIL JUDGE AND JMFC., HOSKOTE, BENGALURU RURAL DISTRICT, IN O.S.NO.603/2026 VIDE ANNEXURE-'N'

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

CORAM: HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

The present petition impugns the order dated 20.07.2026, whereby notice was ordered on I.A. Nos. 1 and 2 filed under Order XXXIX Rules 1 and 2 of the CPC.

2. Learned counsel for the petitioner submits that the petitioner claims right, title and interest over the suit schedule property under the sale deed dated 29.09.2022. It is submitted that the defendants are causing obstruction on the ground that

the said sale deed was executed pursuant to a decree passed in O.S. No.1164/2009 against a deceased person. It is further submitted that, pending adjudication of the suit, the nature of the property and the rights of the parties are required to be preserved.

3. Considered the submissions made by the learned counsel for the petitioner and perused the record.

4. The suit is one for permanent injunction based on the registered sale deed dated 29.09.2022. It is evident from the pleadings that defendant Nos. 7 and 8 are causing obstruction on the ground that the said sale deed was executed pursuant to a decree passed in O.S. No.1164/2009 against a deceased person and that the said decree is not binding on them.

5. Be that as it may, unless defendant Nos. 7 and 8 are restrained from interfering with the petitioner's peaceful possession and enjoyment of the suit schedule property and from alienating the same or creating third-party rights therein, there is a likelihood of multiplicity of proceedings, which may also render the pending applications infructuous.

6. In that view of the matter, this Court is inclined to entertain the writ petition and direct both parties to maintain status quo with regard to possession of, and title to, the suit schedule property until consideration of I.A. Nos. 1 and 2 filed under Order XXXIX Rules 1 and 2 of the CPC, which are pending before the Trial Court in O.S. No.603/2026.

7. The Trial Court is directed to dispose of the pending applications within two months from the next date of hearing.

8. The Trial Court shall not be influenced by any observations made in this order while considering the said applications.

With the above observations, the writ petition stands ***disposed of***.

SD/-
(K. V. ARAVIND)
JUDGE

VBS
List No.: 1 Sl No.: 10