HC-KAR

NC: 2026:KHC:63665
WP No. 32894 of 2026

CNR: KAHC010715922026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO. 32894 OF 2026 (GM-CPC)

BETWEEN:

1. SOWMYA
   AGED ABOUT 38 YEARS
   D/O LATE MUNIKRISHNAPPA,

2. JAGADEESH
   AGED ABOUT 35 YEARS
   S/O LATE MUNIKRISHNAPPA

   BOTH ARE R/AT BANDAPURA VILLAGE
   BIDARAHALLI HOBLI 560 049
   BENGALURU EAST TALUK.

3. DIVYA
   AGED ABOUT 32 YEARS
   D/O LATE MUNIKRISHNAPPA
   R/AT NO.1-898-1
   POLICE LANE, KADARI 515 591
   ANDHRA PRADESH.

...PETITIONERS

(BY SRI. RAJATH D.V., ADVOCATE)

AND:

1. S. RAMAIAH
   AGED ABOUT 72 YEARS

Digitally signed by VIJAYA P
Location: High Court of Karnataka

S/O LATE SHAMANNA
RESIDING AT
BANDAPURA VILLAGE
BIDARAHALLI HOBLI 560 049,
BENGALURU EAST TALUK.

2. THE PANCHAYATH DEVELOPMENT OFFICER
DODDABANAHALLI GRAM PANCHAYATH
DODDABANAHALLI
BIDARAHALLI HOBLI 560 115,
BENGALURU EAST TALUK.

3. THE EXECUTIVE OFFICER
TALUK PANCHAYATH
BENGALURU EAST TALUK
BENGALURU 560 049.

4. MANGAMMA @ MANGALA
AGED ABOUT 66 YEARS
D/O SHAMANNA
RESIDING AT BANDAPURA VILLAGE,
BIDARAHALLI HOBLI,
BENGALURU 560 049, EAST TALUK.

5. B.V. ANJINAPPA
AGED ABOUT 60 YEARS
S/O LATE PATEL VENKATAPPA
RESIDING AT
BANDAPURA VILLAGE
BIDARAHALLI HOBLI
BENGALURU 560 049.

...RESPONDENTS

THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO WHEREFORE, THE PETITIONERS MOST HUMBLY PRAY THAT THIS HONOURABLE COURT MAY BE PLEASED TO CALL FOR THE RECORDS AND SET ASIDE THE IMPUGNED ORDER AT ANNEXURE -A, DT.01.08.2026 IN O.S.NO. 1055/2026 PASSED BY THE HONOURABLE PRINCIPAL SENIOR CIVIL JUDGE, BENGALURU RURAL DISTRICT, LA.NO.4 AND 5 AT ANNEXURE - D AND F WHICH BOTH FILED UNDER ORDER BENGALURU IN ALLOWING 1 RULE 10(2) READWITH SECTION 151 OF CPC PERMITTING THE RESPONDENTS NO.4 AND 5 TO COME ON RECORD AS ADDITIONAL DEFENDANTS NO.4 AND 5 AND CONSEQUENTLY DISMISS THE SAID APPLICATIONS IN THE INTEREST OF JUSTICE AND EQUITY AND ETC,.

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 calls in question the order dated 01.08.2026 passed on I.A. Nos. IV and V, filed under Order I Rule 10(2) of the CPC, whereby the applications seeking impleadment were allowed.

2. Learned counsel appearing for the petitioners submits that the applicant has no right, title or interest in the joint family properties. It is contended that the applicant claims to be the daughter of Shamanna, who executed a Will in favour of

Anjinappa. In view of the said Will, the applicant has no right or interest in the coparcenary properties.

2.1 It is further contended that the Trial Court, without properly appreciating the aforesaid aspects, has erroneously allowed the applications for impleadment.

3. Considered the submissions made by learned counsel for the petitioners and perused the material on record.

4. The application for impleadment is filed on the premise that the applicant is the sister of defendant No.1. The said relationship is admitted in the objections filed by the petitioners. The only objection raised is with regard to the applicant's entitlement to a share in the suit schedule properties.

5. When the relationship of the applicant with the parties to the suit is admitted, the question of her entitlement to a share in the suit schedule properties is a matter to be adjudicated at the trial. The Trial Court, having rightly observed that the rival contentions regarding the applicant's entitlement to a share in

the suit properties are matters for trial, has permitted her impleadment.

6. This Court, upon examination of the reasons assigned by the Trial Court, is not inclined to interfere with the impugned order.

Accordingly, the petition stands ***dismissed***.

Sd/-
(K. V. ARAVIND)
JUDGE

DDU
List No.: 1 Sl No.: 20