HC-KAR

NC: 2026:KHC:59920
WP No. 32972 of 2026

CNR: KAHC010719502026

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. 32972 OF 2026 (GM-CPC)

BETWEEN:

1. SMT SHYALAJA
   W/O V.S. SRIKANTH,
   AGED ABOUT 44 YEARS,
   R/AT NO.95/42, 8TH CROSS,
   NEAR KARTHIK NURSING HOME,
   WILSON GARDEN, BANGALORE SOUTH,
   BENGALURU 560 027

...PETITIONER

(BY SRI. MOHANKUMARA D., ADVOCATE)

AND:

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

1. SMT SUSHEELAMMA
   W/O LATE GANGADHARAPPA,
   D/O LATE THAMMEGOWDA,
   AGED ABOUT 65 YEARS,
   R/AT MANAGONDANAHALLI VILLAGE,
   KUNDANA HOBLI, DEVANAHALLI TALUK,
   BANGALORE RURAL DISTRICT - 562 110

...RESPONDENT

THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTUION OF INDIA PRAYING TO DIRECT THE LEARNED ADDL. CIVIL JUDGE AND JMFC, DEVANAHALLI, TO FORTHWITH

CONSIDER AND PASS APPROPRIATE ORDERS ON I.A. NO.2 SEEKING POLICE PROTECTION IN O.S NO.341 OF 2026, IN ACCORDANCE WITH LAW AND ON ITS OWN MERITS 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

1. Learned counsel for the petitioner submits that, by order dated 12.08.2026, the Trial Court restrained the defendant from interfering with the peaceful possession and enjoyment of the suit schedule property. It is contended that, in disregard of the injunction order, the defendant is interfering with the petitioner's peaceful possession and, thereby, violating the interim order. It is submitted that I.A. No. 2, dated 14.07.2026, has been filed under Section 151 of the Code of Civil Procedure, 1908, seeking police protection.

2. The limited grievance of the petitioner is that the Trial Court be directed to consider the pending application expeditiously. The interim order alleged to have been violated is an ex parte order passed by the Trial Court, and notice has been issued to the defendants. The defendants are entitled to

seek the vacation or modification of the ex parte order by filing an application under Order XXXIX Rule 4 of the Code of Civil Procedure, 1908. However, as long as the injunction order remains in force, it is required to be complied with and, in the event of its violation, appropriate steps may be taken in accordance with law. In that view of the matter, the Trial Court is directed to expedite the consideration of the application in I.A. No. 2 dated 14.07.2026.

3. In view of the above observations, the writ petition stands disposed of.

Sd/-
(K. V. ARAVIND)
JUDGE

VP
List No.: 1 Sl No.: 23