

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28<sup>th</sup> DAY OF MARCH 2018

BEFORE

THE HON'BLE MR. JUSTICE B.M. SHYAM PRASAD

**WRIT PETITION NO.53996/2014(GM-CPC)**

BETWEEN:

SRI VYASARAJA SEVA SAMITI  
A SOCIETY REGISTERED UNDER THE  
SOCIETIES REGISTRATION ACT  
BEARING REGISTRATION NO. 254/2005-06.  
HAVING ITS OFFICE AT 1236,  
3<sup>RD</sup> MAIN ROAD,  
7<sup>TH</sup> BLOCK, HOSAKEREHALLI  
BSK 3<sup>RD</sup> STAGE,  
BENGALURU-560 085  
REPRESENTED BY ITS SECRETARY,  
DR. N. VENKATESH RAO.

...PETITIONER

(BY SRI. RAJESH. S.V., ADV.,)

AND:

1. SRI VYASARAJA MUTT (SOSALE)  
NO.1, BENNEGOVINDAPPA STREET  
BASAVANAGUDI, BENGALURU  
REPRESENTED BY ITS MATHADHIPATI  
SRI VIDYAVACHASPATI TIRTHA, MAJOR  
PRESENTLY RESIDING AT NO.64  
MIDDLE SCHOOL ROAD  
VISHVESHVARAPURAM  
BENGALURU-560004.
2. SHARAT ALIAS SRI MANOHAR TIRTHA

SON OF SRI UDDHAVACHAR  
MAJOR  
NO. 64, MIDDLE SCHOOL ROAD  
VISHWESHPURAM  
BENGALURU-560 004.

3. SRI UDDHAVACHAR  
SON OF SRI JAYATHEERTHAACHAR  
MAJOR  
SRI VIDYAPAYONIDHI KALYANA MANTAPA  
KRISHNMURETHY PURAM  
MYSURU.
4. SRI SHUKACHAR  
SON OF SRI JAYATHEERTHAACHAR  
MAJOR  
SRI VIDYAPAYONIDHI KALYANA MANTAPA  
KRISHNMURTHY PURAM  
MYSURU.
5. SRI. J. NAGARAJACHAR  
SON OF SRI JAYATHEERTHACHAR  
MAJOR  
SRI VIDYAPAYONIDHI KALYANA MANTAPA  
KRISHNMURTHY PURAM  
MYSURU.
6. SRI J. NARASIMHA MURTHY  
SON OF SRI JAYATHEERTHACHAR  
MAJOR  
NO. 104, 1<sup>ST</sup> FLOOR  
MANJUNATHAKRUPA  
2<sup>ND</sup> MAIN ROAD  
SARABHAUMANAGAR  
CHIKKALSANDRA  
BENGALURU-560 061.
7. SRI J. KRISHNACHAR  
SON OF SRI JAYATHREERTHACHAR  
MAJOR

NYAMRUTHA NO. 23  
16<sup>TH</sup> MAIN, AGS LAYOUT  
BENGALURU-560 061.

8. SRI J. SREEPADACHAR  
SON OF SRI JAYATHEERTHACHAR  
MAJOR  
NO. 147, SURVEYOR STREET  
BASAVANAGUDI  
BENGALURU-560 004.
9. SRI J. GURURAJACHAR  
SON OF SRI JAYATHEERTHACHAR  
MAJOR,  
SRI VYJAYANTHA MAHAL  
NO. 147, SURVEYOR STREET  
BASAVANAGUDI  
BENGALURU-560 004.
10. SRI GOPINATH P  
SON OF SRI. POORNABHODACHAR  
MAJOR  
NO. 1, BENNEGOVINDAPPA STREET  
BASAVANAGUDI  
BENGALURU-560 004.

...RESPONDENTS

NOTE:  
SRI VIDYAVACHASPATI TIRTHA  
MAJOR, NO. 64, MIDDLE SCHOOL  
ROAD, VISHVESHWARAPURAM  
BENGALURU-560 004, WAS THE 2<sup>ND</sup> DEFENDANT  
BEFORE THE TRAIL COURT  
SINCE DECEASED AND REPRESENTED BY HIS  
SUCCESSOR THE 3<sup>RD</sup> RESPONDENT  
BEFORE THE TRIAL COURT.

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS OF THE SUIT IN O.S. NO. 25765/2007 ON THE FILE OF THE XIII ADDL. CITY CIVIL AND SESSIONS JUDGE, MAYOHALL UNIT, BENGALURU AND QUASH THE ORDER DATED 21.06.2014 VIDE ANNEX-F PASSED ON THE MEMO FILED BY THE PETITIONER DATED 31.05.2014 VIDE ANNEX-B IN SO FAR AS IT RELATES TO DISMISSING THE SUIT FILED BY THE PETITIONER IN O.S. NO.25765/20017.

THIS WRIT PETITION IS COMING ON FOR PRELIMINARY HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:

**ORDER**

Learned counsel for the petitioner has filed a memo seeking permission to withdraw the writ petition.

Memo is taken on record and the writ petition is dismissed as withdrawn.

Sd/-  
JUDGE

BS