

IN THE HIGH COURT OF KARNATAKA, BENGALURU

DATED THIS THE 31<sup>ST</sup> DAY OF JULY, 2019

BEFORE

THE HON'BLE MR. JUSTICE KRISHNA S.DIXIT

**WRIT PETITION NO. 9109 OF 2017 (GM-CPC)**

**BETWEEN:**

1. SRI. B. NAKESH REDDY,  
S/O B. SHIVA REDDY,  
AGED ABOUT 41 YEARS,  
RESIDING AT FLAT NO.E-904,  
EBONY "A" WING,  
GODREJ WOODSMAN APARTMENTS,  
HEBBAL, SAHAKAR NAGARA,  
BANGALORE 560024.

2. SRI. PARAS RAJ YENDAL,  
S/O Y. SHANKAR,  
AGED ABOUT 42 YEARS,  
RESIDING AT FLAT NO.1403,  
TOWER 2, B-WING,  
GODREJ WOODSMAN ESTATE,  
HEBBAL, BANGALORE 560024.

... PETITIONERS

(BY SRI. SOMASEKHAR REDDY K, ADVOCATE)

**AND:**

1. SMT. MEENA,  
D/O N.M. NARAYANASWAMY,  
W/O M.B. NAGARAJU,  
AGED ABOUT 48 YEARS,  
RESIDING AT MALLURU VILALGE,  
SIDLAGHATTA TALUK-562110.

2. SMT. GAYATHRAMMA,  
D/O N.M. NARAYANASWAMY,  
W/O SHAMANNA,  
AGED ABOUT 46 YEARS,  
RESIDING AT BALUVANAHALLI VILLAGE,  
DEVANAHALLI TALUK-562110.

3. SMT. SHYLAJA,  
D/O N.M. NARAYANASWAMY,  
W/O NARAYANASWAMY,

AGED ABOUT 43 YEARS,  
RESIDING AT KACHAHALLI VILLAGE,  
MALLURU POST, SIDLAGHATTA TALUK -562105.

4. SMT. THEJA,  
D/O N.M. NARAYANASWAMY,  
W/O MUNIRAJU,  
AGED ABOUT 39 YEARS,  
RESIDING AT NO.80,  
HEBBAL MAIN ROAD,  
NEAR BASAVANA TEMPLE,  
HEBBAL, BANGALORE – 560 024.
5. SRI. N.M. NARAYANASWAMY,  
S/O LAT MADDURAPPA,  
AGED ABOUT 73 YEARS,
6. SRI. NAGARAJU,  
S/O N.M. NARAYANASWAMY,  
AGED ABOUT 36 YEARS,
7. SMT. NANJAMMA,  
W/O LATE N.M. NARASIMHAIAH,  
AGED ABOUT 73 YEARS,
8. SRI. H.N. MANJUNATH,  
S/O LATE N.M. NARASIMHAIAH,  
AGED ABOUT 53 YEARS,
9. SRI. H.N. CHANDRA,  
S/O LATE N.M. NARASIMHAIAH,  
AGED ABOUT 48 YEARS,
10. SMT. MANJULA,  
D/O LATE N.M. NARASIMHAIAH,  
W/O RAVI,  
AGED ABOUT 43 YEARS,  
RESIDING AT NO.308,  
KAVALBYRASANDRA, R.T. NAGAR,  
BANGALORE 52.
11. SMT. K.R. SUDHAMANI,  
W/O C.N. MOHAN,  
AGED ABOUT 48 YEARS,  
RESIDING AT NO.328, 14<sup>TH</sup> CROSS,  
5<sup>TH</sup> MAIN ROAD,  
SADASHIVANAGAR,  
BANGALORE - 80.

12. SMT. PAVITHRA,  
W/O T. DEVARAJU,  
AGED ABOUT 36 YEARS,  
RESIDING AT CHOKKANAHALLI VILLAGE,  
JAKKUR POST, YALAHANKA HOBLI,  
BANGALORE NORTH TALUK – 560064.

13. SRI. P. NAGARAJU,  
S/O PERUMALLAPPA,  
AGED ABOUT 45 YEARS,  
RESIDING AT NO.269, 1<sup>ST</sup> FLOOR,  
CQAL LAYOUT,  
SAHAKARANAGAR,  
BANGALORE 92.

... RESPONDENTS

(BY SRI. H R SREEDHARA, ADVOCATE FOR R1 TO R4;  
NOTICE TO R5 TO 13 IS DISPENSED WITH  
V.C.O. DATED 12.12.2017)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 6.1.2017 PASSED BY THE LEARNED ADDITIONAL SENIOR CIVIL JUDGE, CHIKKABALLAPUR IN O.S.NO.96/2008, VIDE ANNEX-E; ALLOW THE APPLICATION OF THE PETITIONERS I.A.NO.7 VIDE ANNEX-D.

THIS PETITION COMING ON FOR *PRELIMINARY HEARING IN 'B' GROUP* THIS DAY, THE COURT MADE THE FOLLOWING:-

### **ORDER**

The order impugned in this writ petition having emanated from the suit in O.S.No.96/2008 and now that the main suit itself has been disposed off vide judgment & Decree dated 06.03.2019, nothing survives for consideration in this writ petition and the same is

accordingly disposed off keeping open all grounds and remedies otherwise available to the parties.

No costs.

**Sd/-  
JUDGE**

Bsv