NC: 2023:KHC:43670
WP No. 17492 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF DECEMBER, 2023

BEFORE

THE HON'BLE MR JUSTICE S.G.PANDIT

WRIT PETITION NO. 17492 OF 2023 (GM-CPC)

BETWEEN:

DODDA PALAIAH
DEAD BY LRS

1. SMT. OBAMMA,
W/O LATE DODDA PALAIAH,
AGED ABOUT 51 YEARS,

2. SRI. GADRAIAH @ GADRI PALAIAH,
S/O LATE DODDA PALAIAH,
AGED ABOUT 26 YEARS,

3. SRI. GADRI PALAIAH,
S/O LATE MOGALAHALLY PALAIAH,
AGED ABOUT 63 YEARS,

4. SMT. PALAMMA,
D/O LATE DODDA PALAIAH,
AGED ABOUT 30 YEARS,

5. SMT. PAPAMMA,
D/O LATE DODDA PALAIAH,
AGED ABOUT 30 YEARS,

6. SMT. THIPPAMMA,
W/O GADRI PALAIAH,
AGED ABOUT 30 YEARS,

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Location: HIGH COURT OF KARNATAKA

7. SRI. PAPANNA,
S/O GADRI PALAIAH,
AGED ABOUT 33 YEARS,

8. SRI. NAGESHA,
S/O GADRI PALAIAH,
AGED ABOUT 30 YEARS,

9. SRI. BASANNA,
S/O LATE MOGALAHALLY PALAIAH,
AGED ABOUT 60 YEARS,

10. SMT. BASAMMA,
W/O BASANNA,
AGED ABOUT 48 YEARS,

11. SRI. SANTHOSH,
S/O BASANNA,
AGED ABOUT 48 YEARS,

12. SRI. GOPAI,
S/O BASANNA,
AGED ABOUT 48 YEARS,

13. SRI. THIPPESWAMY,
S/O LATE MOGALAHALLY PALAIAH,
AGED ABOUT 58 YEARS,

14. SMT. LASUMAKKA @ LAKSHMI S.B.,
W/O THIPESWAMY,
AGED ABOUT 58 YEARS,

15. SRI. NAVEENA,
S/O THIPESWAMY,
AGED ABOUT 26 YEARS,

16. SMT. PALAKSHI @ PALAMMA,
W/O JAYANNA,
AGED ABOUT 43 YEARS,

17. SRI.M.P. NAGARAJA,
S/O LATE MOGALAHALLY PALAIAH,
AGED ABOUT 48 YEARS,

18. SMT. RADHAMMA,
W/O M.P. NAGARAJA,
AGED ABOUT 43 YEARS,

19. SMT. SANNA OBAKKA,
W/O LATE SANNA PALAIAH,
AGED ABOUT 63 YEARS,

20. SRI. MANJUNATHA,
S/O LATE SANNA PALAIAH,
AGED ABOUT 28 YEARS,

ALL THE PETITIONER ARE THE
R/O B.G. KERE VILLAGE,
KASABA HOBLI,
MOLAKALMURU TALUK,
CHITRADURGA DISTRICT – 577 529.

…PETITIONERS

(BY SRI. GOPALAKRISHNAMURTHY C., ADVOCATE)

AND:

SMT. MEENAKSHAMMA M.D.,
W/O LATE M.V. DODDA VEERANNA,
AGED ABOUT 83 YEARS,
AGRICULTURIST,
R/O B.G. KERE VILLAGE,

KASABA HOBLI,
MALAKALMURU TALUK,
CHITRADURGA DISTRICT – 577 529.

…RESPONDENT

(RESPONDENT IS SERVED AND UNREPRESENTED)

THIS WP IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 22.6.2023 PASSED BY THE HONBLE TRIAL COURT ON INTERLOCUTORY APPLICATION U/S 151 OF THE CPC (IA.NO.4/2022) DATED 18.10.2022 ALONG WITH MEMORANDUM OF FACTS FILED BY THE DHR/RESPONDENT IN EX.P.NO.63/2020 BY THE CIVIL JUDGE AND JMFC, MOLAKALMURU VIDE ANNEXURE - A CONSEQUENTLY REJECT THE APPLICATION FILED U/S 151 OF THE CPC (IA.NO.4/2022) DATED 18.10.2022 ALONG WITH MEMORANDUM OF FACTS IN EX.P.NO.63/2020 BEFORE THE CIVIL JUDGE AND JMFC, MOLAKALMURU VIDE ANNEXURE - F BY THE ADVOCATE FOR RESPONDENT ALONG WITH MEMORANDUM OF FACTS AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Memo dated 04.12.2023 is filed seeking leave to withdraw the writ petition.

2. Memo is placed on record.

Accordingly, the writ petition is dismissed as withdrawn.

Sd/-
JUDGE

SMJ
List No.: 1 Sl No.: 11