NC: 2023:KHC:35883
WP No. 18018 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF OCTOBER, 2023

BEFORE

THE HON'BLE MR JUSTICE S.G.PANDIT

WRIT PETITION NO. 18018 OF 2023 (GM-CPC)

BETWEEN:

1. SRI. RANGEGOWDA
   S/O LATE MANJEGOWDA
   AGED ABOUT 80 YEARS

   SRI CHANDREGOWDA
   S/O LATE MANJEGOWDA
   SINCE DEAD REPRESENTED BY LRS

2. SMT. JAYAMMA
   W/O LATE CHANDREGOWDA
   AGED ABOUT 62 YEARS

3. SMT. D C YASHODA
   D/O LATE CHANDREGOWDA
   AGED ABOUT 42 YEARS

4. SRI D C RAJU
   S/O LATE CHANDREGOWDA
   AGED ABOUT 39 YEARS

5. SHRI SHREEKANTEGOWDA
   S/O LATE MANJEGOWDA
   AGED ABOUT 55 YEARS

   ALL RESIDING AT DODDALONDAGULA
   KASABA HOBLI,
   HASSAN TALUK AND DISTRICT -573201.

...PETITIONERS

(BY SRI. PRAKASH M PATIL, ADV.)

Digitally signed by
A K CHANDRIKA
Location: High
Court of Karnataka

AND:

SRI. R. THIMMEGOWDA
S/O RANGEGOWDA
SINCE DEAD REPRESENTED BY LRS

1. SMT. SHANTHAMMA
   W/O LATE THIMMEGOWDA
   AGED ABOUT 72 YEARS

2. SRI RANGASWAMY
   S/O LATE THIMMEGOWDA
   AGED ABOUT 49 YEARS

3. SRI SHIVANNA
   S/O LATE THIMMEGOWDA
   AGED ABOUT 47 YEARS

4. SMT. MAHALAKSHMI
   D/O LATE THIMMEGOWDA
   AGED ABOUT 45 YEARS

   ALL RESIDING AT
   TAVARADEVARA KOPPALU VILLAGE,
   KASABA HOBLI,
   HASSAN TALUK AND DISTRICT – 573201.

   SRI CHANDRASHEKARA
   S/O K V SRINIVASAMURTHY
   SINCE DEAD REPRESENTED BY LRS

5. SMT. KUSUMA
   D/O LATE CHANDRASHEKARA
   AGED ABOUT 67 YEARS

6. DR. SHASHEER
   D/O LATE CHANDRASHEKARA
   AGED ABOUT 44 YEARS

7. SMT. URMILA
   D/O LATE CHANDRASHEKARA
   AGED ABOUT 42 YEARS

   ALL RESIDING AT NO.33,
   CHAMPAKA CHALUVAMBA,
   AGARAHARA, MYSORE - 570001.

8. SMT. MEERA
D/O LATE K V SRINIVASAMURTHY
AGED MAJOR,
NO.33, CHAMPAKA CHALUVAMBA,
AGRAHARA,
MYSORE – 570001.

9. SRI.K.V. SUBBARAO
S/O LATE VEKATARAMAYYA
AGED MAJOR,
NO.33, CHAMPAKA CHALUVAMBA,
AGARAHARA,
MYSORE – 570001.

10. SRI.B.K. RANGASWAMY
S/O LATE KRISHNEGOWDA
OWNER: M SRUSTI GROUP BUILDERS
AND DEVELOPERS ORGANISATION,
NO. G.R.N. 658/2014-15
BAGALURU CROSS
OPPOSITE TO INDIAN OIL PETROL BUNK,
KATTIGENAHALLI
BENGALURU - 560064.

11. SMT. SHYAMALA TIKARE NAGENDRA RAO
W/O SRI NAGENDRARAO
AGED ABOUT 50 YEARS,
R/AT PRAVASI NILAYA,
HASANAMBA NAGARA LAYOUT,
SALAGRAMA ROAD
HASSAN -573201.

12. SMT. B.V. UMA
W/O K M PRAKASH
AGED ABOUT 45 YEARS
HOUSE NO.1961,
LALITHA VATAARA
BASAWESHWARA NILAYA,
SARASWATHIPURAM
HASSAN – 573201.

13. SMT. D M MANJULA
W/O M MANJUNATHA
AGED ABOUT 19 YEARS,
HOUSE NO.126,

HEMAVATHI COLONY
CHENNARAYAPATTANA TOWN
HASSAN DISTRICT -573116.

14. SMT. SHARAVATHI
W/O ESHWARASHETTY
AGED ABOUT 55 YEARS,
HOUSE NO.92,
DEVIHALLI, MULALI ,
SHANTHIGRAMA HOBLI,
HASSAN TALUK AND DISTRICT -573201.

15. SRI KRISHNEGOWDA
S/O LATE GAVEGOWDA
AGED ABOUT 63 YEARS
NO.222, KECHMABIKA NILAYA,
VIVEKANAGARA ROAD
VIDYANAGARA HASSAN-573201.

16. SRI RAMEGOWDA
S/O LATE VENKATEGOWDA
AGED ABOUT 71 YEARS,
NO.A/287, WARD NO.17,
MULURU ROAD, SUBHASH NAGAR
MYSORE DISTRICT – 570001.

17. SRI ROHITH S N
S/O VIJAYAKUMAR
AGED ABOUT 41 YEARS
SASALU GRAMA, KIKKERI HOBLI,
K R PETE TALUK
MANDYA DISTRICT-571426.

18. SRI RAVI R
S/O RANGASWAMY
AGED ABOUT 50 YEARS
GORURU GRAMA, KATTAYA HOBLI,
HASSAN TALUK DISTRICT-573201.

19. SRI KIRAN K
S/O K .V. GANGARAJU
AGED ABOUT 37 YEARS
NO.44, SANKALPA,
2ND MAIN ROAD,
NEAR SAIBABA TEMPLE

SANJEEVINI NAGAR
BENGALURU NORTH-560064.

20. SMT. ASHA K
W/O C A RANGASWAMY
AGED ABOUT 50 YEARS
NO.56/2, ARADHANA NILAYA
2ND CROSS, 2ND MAIN ROAD,
HEMAVATHI NAGARA
HASSAN -573201.

21. SRI SHIVAJI RAO T S
S/O SIDDOJIRAO T K
AGED ABOUT 42 YEARS
THORENOORU VILLAGE AND POST,
KODAGU TALUK AND DISTRICT-571232.

22. SMT. JAYASHREE
W/O GANGADHARA H N
AGED ABOUT 39 YEARS
MIG 18/C, 2ND STAGE, 5TH CROSS,
NEAR OXFORD ENGLISH SCHOOL
KUVEMPUNAGARA
HASSAN - 573201.

23. SMT. BHAGYA
W/O SUBRAMANYA
AGED ABOUT 39 YEARS
NO.219, SHRAVANABELAGOLA GRAMA
AND HOBLI
CHENNARAYAPATTANA TALUK
HASSAN DISTRICT -573116.

24. SRI BASAVEGOWDA
S/O EEREGOWDA
AGED ABOUT 65 YEARS
HULLUHALLI GRAMA,
HEBBALAL POST,
HALEBEEDU HOBLI, BELUR TALUK
HASSAN DISTRICT -573115.

25. SMT. SINDYA P
W/O PRAVEEN KUMAR R J
AGED ABOUT 42 YEARS
B.201, TRANQUILITY APARTMENT
2ND PHASE, KUDRENAGARA

SOLAPURA ROAD,
BACKSIDE TO HOTEL NANDINI C. GARDEN
SHEVALWADI MANJARI FARM
PUNE, MAHARASTHRA-411001.

26. SRIHARSHA A. M
S/O MUTTHAPPA A.K,
AGED ABOUT 37 YEARS,
EWS, 529, 14TH CROSS ROAD,
KUVEMPUNAGARA,
HASSAN-573101.

27. SMT. MENAKA H.D.
W/O. MANJEGOWDA,
AGED ABOUT 42 YEARS,
NO.45, CROSS ROAD,
NEAR MAMATHA SCHOOL,
MANJUNATHA LAYOUT
R.T. NAGARA, BENGALURU-32.

28. SMT. KOKILA
W/O CHANDEGOWDA,
AGED ABOUT 50 YEARS,
JAYANAGARA LAYOUT,
HASSAN-573201.

29. SMT. ANUPAMA K R
W/O SATHVIK K M,
AGED ABOUT 33 YEARS,
NO.10, SHANTHALA, 1ST FLOOR,
3RD MAIN ROAD, DATTATREYANAGARA,
NEAR VITTALA EYE HOSPITAL,
HOSAKEREHALLI,
BENGALURU SOUTH-560007.

30. SRI. R. VIJAYAKUMAR
S/O. RANGESHETTY,
AGED ABOUT 50 YEARS,
NO.174, BEERESHWARA NILAYA,
NEAR SEETHAPPA MUTT,
D.B SANDRA
BENGALURU NORTH-570064.

31. SMT. MANJULA C.N.
W/O D.G. PRAKASH,
AGED ABOUT 41 YEARS,

DODDAKARDEVU,
DINGANAHALLI HOBLI,
KUNDOORU POST,
CHENNARAYAPOTANA TALUK,
HASSAN DISTRICT-573116.

32. SRI. VISHWANATHARAO CHAVAN
S/O. LATE MAHADEVRAO,
AGED ABOUT 64 YEARS,
NEAR BRAHMAKUMARI SAMAJA,
UTTHARA BADAVANE,
HASSAN – 573201.

33. THE SUB-REGISTRAR
HASSAN - TALUK,
HASSAN – 573201.

34. PANCHAYATHI DEVELOPMENT OFFICER (PDO)
TEJOORU GRAMAPANCHAYATHI,
KASABA HOBLI,
HASSAN TALUK,
HASSAN – 573201.

…RESPONDENTS

(BY SRI.BOPANNA B., AGA FOR R33 & R34)

THIS PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASHING THE IMPUGNED ORDER DATED 23.06.2023 PASSED BY THE 6TH ADDL. SENIOR CIVIL JUDGE AND CJM AT HASSAN IN ALLOWING THE IA NO.7 FILED BY THE DEFENDANT NO.5/R-5 IN OS NO.120/2021 AS PER ANNX-A AND DECLARE THAT THE COURT FEE PAID ON THE SUIT IS PROPER AND APPROPRIATE.

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

ORDER

Learned counsel Sri.Prakash M.Patil after arguing the matter for sometime seeks leave to withdraw the writ

petition with liberty to file appropriate application before the Trial Court.

2. Submission of the learned counsel is placed on record.

Writ petition is dismissed as withdrawn, with liberty as sought for.

SD/-
JUDGE

NC
List No.: 1 Sl No.: 19