

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU****DATED THIS THE 22<sup>ND</sup> DAY OF AUGUST, 2024****BEFORE****THE HON'BLE MR JUSTICE R DEVDAS****WRIT PETITION NO. 7235 OF 2021 (GM-CPC)****BETWEEN:**

1. K G HANUMANTHA RAJU  
AGED ABOUT 62 YEARS,  
SON OF LATE GANGAIAH,  
SILVER STAR HOTEL,  
NO.126, 6<sup>TH</sup> CROSS, GANDHINAGAR,  
BENGALURU-560009
2. SRI K R SUDHIR  
AGED ABOUT 68 YEARS,  
SON OF LATE K.P.R SHETTY,  
SILVER STAR HOTEL,  
NO.126, 6<sup>TH</sup> CROSS, GANDHINAGAR,  
BENGALURU-560009

...PETITIONERS

(BY SRI. AMBAJI RAO NAJARAE &  
SRI. THIMMEGOWDA., ADVOCATES)

**AND:**

LATE PARVATHAMMA  
W/O LATE J.P.NARAYANASWAMY  
SINCE DECEASED REPRESENTED BY

1. SRI J P SUDHAKAR,  
AGED ABOUT 47 YEARS,  
S/O LATE J.P.NARAYANASWAMY,  
R/AT NO.12/6, 9<sup>TH</sup> MAIN ROAD,



SADASHIVANAGAR, BANGALORE-560080

2. SMT. J P DEVIKA  
AGED ABOUT 21 YEARS,  
D/O LATE J.P.NARAYANASWAMY,  
R/AT NO.350, 4<sup>TH</sup> MAIN,  
UPPER PALACE ORCHARD,  
SADASHIVNAGAR, BANGALORE-560080
3. J P PUTTASWAMIAH  
AGED ABOUT 75 YEARS,  
S/O LATE PUTTAPPA,  
R/AT SRI LAKSHMINARASIMHASWAMY NILAYA,  
KALANKOPPAL ROAD,  
LAXMIPURA, ARASIKERE,  
HASSAN DISTRICT-573103.
4. J P NARASIMHAMURTHY  
AGED ABOUT 45 YEARS  
SON OF PUTTASWAMAIAH  
R/AT 18/1, 8<sup>TH</sup> A MAIN, 2<sup>ND</sup> CROSS  
SADASHIVANAGAR, BANGALORE-560080
5. J P SUDHA  
AGED BOUT 48 YEARS,  
D/O J P PUTTASWAMAIAH,  
R/AT NO.23/A, 5<sup>TH</sup> MAIN, 1<sup>ST</sup> CROSS,  
KEB LAYOUT NEAR RANGABHARANA  
KALAMANDIRA, SANJAY NAGAR,  
RMV 2ND STAGE, BANGALORE-560094
6. S MONISHA  
AGED ABOUT 25 YERS,  
D/O MR SATISH KUMAR,  
R/AT NO.23/A, 5<sup>TH</sup> MAIN, 1<sup>ST</sup> CROSS,  
KEB LAYOUT NEAR RANGABHARANA  
KALAMANDIRA, SANJAY NAGAR,  
RMV 2ND STAGE, BANGALORE-560094



7. S CHIRANJEEVI RAGHAVENDRA  
AGED ABOUT 19 YERS,  
S/O SATISH KUMAR,  
R/AT NO.23/A, 5<sup>TH</sup> MAIN 1<sup>ST</sup> CROSS,  
KEB LAYOUT NEAR RANGABHARANA  
KALAMANDIRA SANJAY NAGAR,  
RMV 2<sup>ND</sup> STAGE, BANGALORE 560094
8. CHUDARATNA  
AGED ABOUT 44 YEARS,  
D/O J P PUTTASWAMAIAH,  
R/AT MURUGAN INDUSTRIES,  
PLOT NO.6,7,8, KIADB INDUSTRIAL ESTATE,  
KELAKOTE, NH4, CHITRADURGA 577501
9. SRIBRINDA  
AGED ABOUT 20 YEARS,  
D/O MR MARUTHI PRASANNA,  
R/AT MURUGAN INDUSTRIES,  
PLOT NO.6,7,8, KIADB INDUSTRIAL ESTATE,  
KELAKOTE NH4, CHITRADURGA 577501
10. MASTER YEGNESH  
AGED 17 YEARS,  
S.O MR MARUTHI PRASANN  
R/AT MURUGAN INDUSTRIES,  
PLOT NO.6,7,8 KIADB INDUSTRIAL ESTAE,  
KELAKOTE, NH4, CHITRADURGA -577 501  
SINCE MINOR REP BY HIS MOTHER,  
NATURAL GUARDIAN CHUDA RATNA
11. MASTER KEERTHIVARDHANA  
AGED 15 YEARS,  
S/O MR.MARUTHI PRASANNA  
R/AT MURUGAN INDUSTRIES  
PLOT NO.6,7,8 KIADB INDUSTRIAL ESTATE,



KELAKOTE, NH4, CHITRADURGA -577 501  
SINCE MINOR REP BY HIS MOTHER  
NATURAL GUARDIAN CHUDA RATNA

12. MRS.J.P.TULASIVRINDA  
AGED 64 YEARS,  
D/O LATE PUTTAPPA  
R/AT NO.18/3, 8TH A MAIN  
2ND CROSS, SADASHIVNAGAR  
BANGALORE-560080
13. SMT.H.P.SHOBHA  
AGED 41 YEARS,  
W/O LATE J.P.NARAYANASWAMY  
R/AT NO.11, 1ST CROSS,  
ACHAIAH SHETTY LAYOUT,  
BANGALORE-560 080.
14. MASTER N.HARIKRISHNA  
AGED 16 YEARS,  
S/O LATE J.P.NARAYANASWAMY  
R/AT NO.11, 1ST CROS,  
ACHAIAH SHETTY LAYOUT,  
BANGALORE-560 080  
SINCE MINOR, REP BY HIS  
MOTHER H.P.SHOBHA
15. KUMARI N.HIRANMAYI  
AGED 9 YEARS,  
D/O LATE J.P.NARAYANASWAMY  
R/AT NO.11, 1ST CROSS,  
ACHAIAH SHETTY LAYOUT,  
BANGALORE-560 080.  
SINCE MINOR REP BY HER  
MOTHER H.P.SHOBHA



16. SRI.G.V.GOPINATH  
S/O G.VEERASWAMY REDDY  
R/AT NO.281, 2ND MAIN, 18TH CROSS  
SAMPIGE ROAD, MALLESHWARAM,  
BENGALURU-560 003.

...RESPONDENTS

(BY SRI. PRADEEP S SAWKAR., ADVOCATE FOR R1  
SRI. K.V. NARASIMHAN., ADVOCATE FOR R2  
SRI. T. PRAKASH., ADVOCATE FOR R3, R4 & R12  
SRI. SANTOSH S GOGI., ADVOCATE FOR R5 TO R11  
SRI. B.M. HALASWAMY., ADVCOATE FOR R13 TO R15  
R5 TO R7, R12 & R16 ARE SERVED - UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DTD.8.1.2020 PASSED BY THE LEARNED VI ADDITIONAL CITY CIVIL JUDGE (CCH-13) AT BANGALORE IN O.S.NO.1403/2018 VIDE ANNEXURE-A I.A.9DISMISS THE INTERLOCUTORY APPLICATION NO.9 FILED BY THE DEFENDANT NO.14 TO 16 UNDER SECTION 267, 276 OF INDIAN SUCCESSION ACT READ WITH ORDER 11 RULE 14 OF CPC VIDE ANNEXURE-K AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE R DEVDAS

### **ORAL ORDER**

Learned Counsel for the petitioners submits that the original suit from out of which the present writ petition arises viz., O.S.No.1403/2018 has been decreed on



17.12.2022 and therefore, the prayer made in the petition has become *infructuous*.

2. The submission of the learned Counsel for the petitioners is placed on record.

3. Accordingly, the writ petition stands disposed of, for the reasons stated above.

**Sd/-  
(R DEVDAS)  
JUDGE**

JT/-  
CT: JL