

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 22<sup>ND</sup> DAY OF NOVEMBER, 2022**

**BEFORE**

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

**WRIT PETITION NO. 22959 OF 2022 (GM-CPC)**

**BETWEEN:**

M T RAJASHEKAR  
S/O LATE THIMMEGOWDA  
AGED ABOUT 55 YEARS,  
R/AT MUTHAGADAHALLI VILLAGE  
MAYASANDRA HOBLI  
THURUVEKERE TALUK  
TUMKUR DISTRICT 57222

...PETITIONER

(BY SRI. DINAKAR M P., ADVOCATE)

**AND:**

1. MANJEGOWDA M S  
S/O LATE M L HANUMANTHAIAH  
AGED ABOUT 55 YEARS,  
R/AT MUTHGADAHALLI VILLAGE  
MAYASANDRA HOBLI  
THURUVEKERE TALUK  
TUMKUR DISTRICT 572227
2. M H NANJEGOWDA  
S/O LATE M L HANUMANTHAIAH  
AGED ABOUT 65 YEARS,
3. M H NANJEGOWDA  
S/O LATE M L HANUMANTHAIAH  
AGED ABOUT 45 YEARS,

4. BANUPRAKASH  
M L HANUMANTHAIAH  
AGED ABOUT 45 YEARS,
5. LAKSHMIDEVI  
W/O LATE SHANKARAPPA  
AGED ABOUT 55 YEARS,
6. RAJEEVA  
S/O LATE SHANKARAPPA  
AGED ABOUT 26 YEARS,
7. CHAITHRA  
D/O LATE SHANKARAPPA  
AGED ABOUT 28 YEARS,

THE RESPONDENT NOS.1 TO 7 ARE  
R/AT MUTHGADAHALLI VILLAGE  
MAYASANDRA HOBLI  
THURUVEKERE TALUK  
TUMKUR DISTRICT 572227

8. BHAGYAMMA  
D/O LATE ML HANUMANTHAIAH  
W/O G N RAMACHANDRA  
AGED ABOUT 38 YEARS,  
R/O GONI TUMKUR VILLAGE  
DHABBEGHATTA HOBLI  
THURUVEKERE TALUK  
TUMKUR DISTRICT 572227
9. VASANTHAMMA  
D/O LATE ML HANUMANTHAIAH  
W/O VEERABHADRAIAH  
AGED ABOUT 60 YEARS,  
R/AT BYLADAKERE VILLAGE  
BELLUR HOBLI, NAGAMANGALA TALUK  
MANDYA DISTRICT 5700147

10. NINGARAJAMMA  
D/O LATE ML HANUMANTHAIAH  
W/O RAMALINGEGOWDA  
AGED ABOUT 50 YEARS,  
R/O BYADARAHALLI VILLAGE  
DHABBEGHATTA HOBLI  
THURUVEKERE TALUK  
TUMKUR DISTRICT 572227
11. S T PRAMEELA  
W/O M H NANJEOWDA  
AGED ABOUT 50 YEARS,  
R/O MUTHAGADAHALLI VILLAGE  
MAYASANDRA HOBLI  
THURUVEKERE TALUK  
TUMKUR DISTRICT 572227

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER DATED 18.08.2022 PASSED BY THE SENIOR CIVIL JUDGE AND JMFC THURUVEKERE IN IA NO.7/2021 IN OS.NO.5/2019 AT ANNEXURE-F TO THE WRIT PETITION AND CONSEQUENTLY ALLOW THE APPLICATION FILED BY THE PETITIONER.

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

### **ORDER**

The learned counsel for the petitioner seeks leave to convert this petition into a petition under Section 115 of the Code of Civil Procedure, 1908.

Subject to all just exceptions, there shall be leave as prayed for. For statistical purposes, the petition stands disposed of.

**Sd/-  
JUDGE**

RB