

IN THE HIGH COURT OF KARNATAKA
DHARWAD BENCH

DATED THIS THE 16TH DAY OF MARCH, 2017

BEFORE

THE HONOURABLE MR.JUSTICE ANAND BYRAREDDY

Writ Petition No.112099/2015 (GM-CPC)

Between:

1. Sri. Shiddalingappa Son of Koteppa Sakri
Age:60 Years, Occupation :Agriculture,
Resident of Bankapur, Taluk :Shiggaon
District :Haveri.
2. Sri.Sharanappa Son of Shivanand Sakri
Age:21 Years, Occupation :Student
Resident of Bankapur,
Now At:Kundgol
Taluk :Kumdgal, District :Dharwad
3. Sri.Vishwanath Son of Virupaxappa Sakri
Age:40 Years, Occupation :service
Resident of Bankapur
Now at Gopanakoppa Hubli
Taluk :Hubbali, District :Dharwad
4. Smt.Kashavva Wife of Ningappa Sakri
Since Deceased by her Legal representatives
- 4A) Smt.Shantavva
Wife of Basavantappa Kyalakonda
Age:44 Years, Resident of Bammanahalli
Taluk :Hangal, District :Haveri

- 4B) Smt.Mallavva
Wife of Mallanagouda Kottragoudar
Age:42 Years
Occupation :Household Work
Resident of Kundur
Taluk :Shiggaon
District :Haveri
- 4C) Smt.Anusya @ Anasavva
Wife of Shivappa Kyalakinda
Age:37 Years
Occupation :Household Work
Resident of Bammanahalli
Taluk :Hanagal, District :Haveri
- 4D) Smt.Savantrevva @ Savakka Wife of Basavaraj Gajipur
Age:35 Years Occupation :Household Work
Resident of Gotagodikoppa
Taluk :Hanagal, District :Haveri
- 4E) Smt.Annapurnavva Wife of Shekappa Vardi
Age:33 Years, Occupation :Household
Resident of Kundur, Taluk :Shiggaon
- 4F) Smt.Akkavva Wife of Shankrappa Havanagi
Age:31 Years, Occupation :Household Work
Resident of Kundur, Taluk :Shiggaon
- 4G) Smt. Sunitha Wife of Ningappa Soppin
Age:30 Years, Occupation :Household Work
Resident of Karjagi, Taluk :Haveri.
5. Sri.Koteppa Son of Ningappa Sakri
Age:35 Years, Occ:Agriculture,
Resident of bankapur, Taluk :Shiggaon.
6. Sri.Revanasiddappa S/O Ningappa Sakri
Age:33 Years, Occupation :Agriculture,

Resident of Bankapur, Taluk :Shiggaon

7. Sri.Umesh S/O Ningappa Sakri
Age:30 Years, Occupation :Agriculture,
Resident of Bankapur, Taluk :Shiggaon
8. Sri.Malatesh S/O Ningappa Sakri
Age:28 Years, Occupation :Agriculture,
Resident of Bankapur, Taluk :Shiggaon.

... Petitioners

(By Sri.B.M.Patil, Advocate)

And

1. Sri. Channabasavswami
Son of Madiwalswami Hulikanthemath
Since Deceased By His Lrs
- 1A) Smt.Champadevi @ Channamma
Wife of Channavasavswami Hulikanthemath
Age:78 Years
Occupation :Household Work
Resident of Bankapur
Taluk :Shiggaon
- 1B) Sri:Sha.Brha.Channamallikarjun Shivacharya Swami
Guruneelkantha Shivacharya Swami
Tenkalagudur Brahanmath
Age:60 Years, Occupation swamiji
Resident of Yasalur
Taluk :Sakaleshapur, District :Hassan
- 1C) Sri.Gourishankarswami Son of Channavasavswami
Hulikanthemath, Age:54 Years
Occupation :Retired Soldier,

Resident of Bankapur,
Taluk :Shiggaon

- 1D) Sri.Anandswami
Son of Channavasavswami Hulikanthemath
Age:48 Years, Occupation :Agriculture,
Resident of Bankapur, Taluk :Shiggaon
District: Haveri.
- 1E) Sri.Panditaradyaswami
Son of Channavasavswami
Hulikanthemath
Age:46 Years
Occupation :Agriculture-Business
Resident of Bankapur
Taluk :Shiggaon
District :Haveri
- 1F) Smt.Vishalaxi Wife of Shankarayya Kalakattimath
Age:56 Years
Occupation :Household Work
Resident of Chikkamallur
Taluk :Shiggaon, District :Haveri
- 1G) Smt.Vanajaxdevi Wife of Kailash Hulikanthemath
Age:56 Years
Occupation :Household Work
Resident of Chikkamallur
Taluk :Shiggaon
District Haveri
- 1H) Sri.Bhramarish Son of Kailash Hulikanthemath
Age:30 Years, Occupation Engineer
Resident of Aikya Apartment Tarang Block
12/1 Kalen Agrahar, Begur, Bengaluru

2. Sri.Neelkantappa Son of Virupaxappa Sakri
Age:56 Years, Occ:Agriculture,
Resident of Bankapur
(Virabhadreswar Gudi Hattir, Nekar Oni)
Taluk: Shiggaon
3. Smt.Girijivva Wife of Chanabasappa Angadi
Care of Chanabasappa Angadi
Age:65 Years, Occupation :Household Work
Resident of Hubballi, Adhyapak Nagar
(Vishweshwar Nagar) Sub Jail Hattir
House No.30, Hubballi
4. Smt.Sharadamma Wife of Sharanappa Aramani,
Age: 63 Years, Occupation : Household Work,
Resident of Hubballi, (Navanagar)
Karnataka Circle, Navanagar,
Hubballi.
5. Smt.Ratnavva Wife of Ramappa Bilebal
Care of Ramappa Bilebal,
Age: 60 Years, Occupation : Household Work,
Resident of Navanagar,
2nd Stage, Amargol, Hubballi.
6. Smt.Premavva Wife of Malleshappa Mogannanavar,
Age: 58 Years, Occupation : Household Work,
Resident of Dharwad,
Saptapur 2nd Cross, Dharwad.
7. Smt.Saroja Wife of @ Sarojavva
Wife of Shivanand Sakri,
Age: 58 Years,
Occupation : Household Work,
Resident of Hubballi,
Adhyapak Nagar,
(Vishweshwanath Kalyan Mantapa Behind)

At Hubballi.

8. Smt.Lalita Wife of Fakkiresh Malikeri,
Age: 33 Years,
Occupation : Household Work,
Resident of Hubballi,
Lingaraj Nagar, Shettar Le-Out,
Hubballi.
9. Smt.Gangavva Wife of Sangmeshwar Mamadapur,
Age: 31 Years,
Occupation : Household Work,
Resident of Hubballi,
Santoshnagar,
(Ganapati Gudi Hattir),
Hubballi.
10. Smt.Neelavva Wife of Rudrappa Pujar,
Age: 48 Years,
Occupation : Household Work,
Resident of Bankapur,
(Aralemath Nagar)
Taluk: Shiggaon, District: Haveri.

... Respondents

(By Sri. R K Hatti, Advocate for R1 (B) & R1(F),
R1(B) & (F) served through court notice,
vide order dated 8/11/2016 petition against R1(A,C, D, E, G, H),
R2 to R10 stood dismissed.)

This Writ Petition is filed under Articles 226 and 227 of the Constitution of India, praying to quash the impugned order passed by the Civil Judge and JMFC, Shiggaon in Original Suit No.74/2009 dated:16.09.2015 on IA.No.9 by allowing the Writ Petition, produced at vide Annexure-E be passed.

: 7 :

This Writ Petition coming on for Orders this day, the court made the following:

ORDER

The learned Counsel for the petitioners would submit that the petition has been rendered infructuous and hence the same may be dismissed.

Recording the submission of the learned Counsel, the petition is dismissed as having become infructuous.

Sd/-
JUDGE

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