

**IN THE HIGH COURT OF KARNATAKA  
KALABURAGI BENCH**

DATED THIS THE 9<sup>TH</sup> DAY OF FEBRUARY, 2016

BEFORE

THE HON'BLE MR.JUSTICE RAM MOHAN REDDY

**WRIT PETITION NO.205717/2015 (GM-CPC)**

**BETWEEN:**

Mohan Rao @ Gundappa  
S/o Hussaini  
Aged about 69 years,  
Occ: Agriculture,  
R/o 4-11-85, Soppe Bazar  
Mangalwarpet,  
Raichur.

... Petitioner

**(By Sri Venkatesh Mallabadi, Advocate for  
Sri Iswhar Raj S. Chowdapurkar Advocate)**

**AND:**

1. Dodda Narsoji @ Narasimhlu  
S/o Mabu Sab  
Aged 69 years,  
Occ: Agriculture  
R/o Heerapur Village,  
Tq. & Dist: Raichur.
2. Sanna Narsoji  
S/o Mabu Sab  
Aged: 64 years,  
Occ: Agriculture,

R/o Heerapur Village,  
Tq. & Dist: Raichur.

3. Jayamma  
W/o Dasappa Harijan  
Aged about: 44 years,  
Occ: Agriculture,  
R/o Harijan Keri,  
Kamalapur,  
Tq. & Dist: Raichur.
4. Shalam Sab  
S/o Late Khudan,  
Aged about: 54 years,  
Occ: Agriculture
5. Hussain Sab  
S/o Late Khudan,  
Aged about: 51 years,  
Occ: Agriculture,
6. Osman Sab  
S/o Late Khudan,  
Aged about: 45 years,  
Occ: Driver,
7. Khaja Hussain  
S/o Razzusab,  
Aged about 53 years  
Occ: Agriculture
8. Hussain  
S/o Razzusab  
Aged about 50 years,  
Occ: Agriculture,

All R/o Kamalapur Village,

Raichur Taluk & District – 584 101.

... Respondents

This Writ Petition is filed under Articles 226 & 227 of the Constitution of India, praying to issue an appropriate writ, more so in the nature of certiorari quashing the order passed on I.A.No.2 in O.S.No:159/2011 on the file of the Prl. Senior Civil Judge and CJM, Raichur, dated 24.03.2015, the certified copy of which is at Annexure-G.

This petition coming on for Preliminary Hearing this day, the Court made the following:

### **ORDER**

Petitioner – Plaintiff in O.S.No.159/2011 on the file of the Principal Senior Civil Judge and CJM, Raichur, aggrieved by the order dated 24.03.2015 allowing I.A.No-II under Order 1 Rule 10 (2) CPC has presented this petition invoking the supervisory jurisdiction under Article 227 of the Constitution.

2. In the suit for declaration of title, permanent injunction and to declare null and void the sale deeds, respondent Nos.4 to 8 filed I.A.No-II under Order 1 Rule 10 (2) CPC to be impleaded as proper and necessary

parties on the premise that they are in possession of the suit schedule premise being 8 acres 12 guntas in Sy.No.224 of Kamalapur village, Taluk and District Raichur and over which a permanent injunction was sought. The Trial Court having regard to the pleadings of parties, exercised its discretion to allow I.A.No.II by the order impugned.

In the circumstances, the order does not merit interference in exercise of supervisory jurisdiction.

Petition rejected.

**Sd/-  
JUDGE**

swk