

Karnataka High Court

Sri Srinivas vs Sri N Krishna on 18 January, 2010

Author: Ashok B.Hinchigeri

IN THE HIGH COURT OF KARNATAKA AT BANGALORE __
DATED THIS THE 18?" DAY OF JANUARY, 2010

BEFORE

THE HON'BLE MR. JUSTICE AshO_K, ..Bg.1'HIN-CH'1éE;VR.i""V A

WRIT PETITION No.887/2010EEKLEATRTR/ESeJRi.""

BETWEEN:

Sri Srinivas,

S/O Late Ramaiah,

Aged about 55 years,

R/O Jakkasandra Viiiage, I ,
Maraiwadi Hobli, V
Kanakapura Taluk, ;;
Bangalore Rural [_.)i--st»r4i4ci';E1.V_V_ '~.' _ ~ A

Petitioner

M. har1.Advocate for
' Ra'R.I'a._\$viA0gha.r_lgd&Associates)

AND:

Sri ;\I_%. ' Kri~shna,V" "

. _S/0xLatE_g:Na%'garaj,.... ..
.A:g«ed aboU't--.3'2,years.

2. E"'Srr'1'EE--.V.f3b'ag\;--arrIrrIa,

. W/Q" Late Najgaraj,
-V Aged ab--0Vut' 44 years.

I: L' ¥Sri* KU rria r,

. " _S;70_ Late Nagaraj,
- Aged about 27 years.

Nethravathi,

' D/O Late Nagaraj,
Aged about 25 years.

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N)

R-1 to R-4 are the
R/o Harohalii Viilage,
Harohalii Hobli,
Kanakapura Tatuk,
Ramanagara District.

Smt. Varalakshmi,
W/o Late Ponnaswamy,
Aged about 60 years.

Sri Venkatesh,
S/o Late Ponnaswamy,
Aged about 42 years.

Sri Sathyanarayana,
S/o Late Ponnaswamy,
Aged about 40 yeasts.

Smt. Nirma_la',i'~4

D/0 Late Ponna'swaVrr"iy,

Aged abo.ugt_38y_ye'a;§§sV._ .. "
Smt.
D/o Late'«Po'nnaswanjy, "
Aged abou't,__S7vye"a_rs.t..

Sri R..ayi,s'~ A

' -S/o' -Lat§§._..po'nnaswatf1'y;

AgedVabvo'ut-34-,years.

11.

'.S~riV"Ar2na'pVpfa,

S/o._|_ate.~Mar'.§--swamy @ Mari,

A Aged ab"out'35 years.

A. ,5': n e:--. _Asfia,
g"D,'fo_ Late Mariswamy @ Mari,
-- Aged about 31 years.

.~ "Smt. Jayamma,
' W/o Late Somanna,

Aged about 62 years.

14.

15.

16.

17.

18.

Smt. Lalithamma,
D/o Late Somanna,
Aged about 42 years.

R~»5 to R--14 are the R/0

Kote Rangaswamy Temple Street,
Kanakapura Town,

Ramanagara District.

The Tahsildar,
Kanakapura Taluk,
Kanakapura.

The Assistant Commissioner, '
Ramanagaram Sub--Div'_i_s'iVon,
Ramanagaram. -- '-
The Deputy Corn'm.i__ssio:ner,' - :1
Ramanagaram" Sash---'Divi-.sion,"
Ramanagaram. " ' " »

The Chief Secretary, ' y A .
Govern'me--nt of''Kéjr..nat,aka,,''V ' '
Vidhana"Soudha,_ " "
Bangalore".',__ " "

Respondents

A (By Srj Prasann'aV Kumar. C, Advocate for

«. _ & Associates for C/R-1,
Kumar, GP for R15--18)

me;;mttpetitaen is fiied under Articles 226 and 227 of the

V77_Con-stitution of India praying to direct the revenue authorities
~--{h_o<t_ to modif'y___t~ile entries made in favour of the petitioner; and
, .etc.:~e.,, " t

. imrit petition coming on for Preiiminary Hearing this
'day, the court made the foliowing:

ORDER

The petitioner has made the following prayers: "a) directing the revenue authorities not to " the entries made in favour of the ,oetitir3~i'i~e-r;,'f:~.. >

b) direct the 15"" respondent to i«:eei5f the ina't'te'i- abeyance till disposal Of.fVh-Ef civif suit
□e:j'b'_y,thVe f petitioner which is pendintj'o:n»the 1'ii'e.o'ft-the Civii Judge (Senior Di.vi§ion).. *
"a ti. 'Rai'nanaoar'am" in o.s.ivo.15/2007; ' i "

C) award the, of the petition "anti o') to paste deems fit in the facts""itan;d;V
ciri:umS--tanceS""oi""the case in the in terest ofjyu□iiee arid" equity. "

2. The prayer Ne. are virtually in the nature of the tempojjaiwyinjuntgtitoni lam afraid, they are not grantable in tinder Article 226 of the Constitution of India.

-H3} dispute that O.S.No.15/O7 is pending i'v.:A"iionsidera~t_ion_>'on:the file of the Civil Judge (Sr.Dn.), " " anag a ram."

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4. This petition is disposed of reserving the iiberty to the petitioner's side to make appropriate I.A.s in the pendingjisuit proceedings. If any LA. is fiied, the said Trial to dispose of the same as expeditiously asA>Vpossible"andii " outer limit of 10 days from the date._of:"iatS' i'i"5ii19'j"3i|'Ci:"i□fi*ii" affording opportunities to both theisides. V

5. This petition is disposed of__a&cordiV_ng|§?.' ~ order as to costs. . A MD