HC-KAR

NC: 2026:KHC:54875
CRP No. 735 of 2026

CNR: KAHC010364392026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CIVIL REVISION PETITION NO. 735 OF 2026 (IO)

BETWEEN:

1. SMT. JAYASHEELAMMA,
   W/O. LATE MALLAIAH,
   AGED ABOUT 65 YEARS,

2. SRI. MALLESH,
   S/O. LATE MALLAIAH,
   AGED ABOUT 46 YEARS,

3. SRI. SHIVASHANKARA,
   S/O. LATE MALLAIAH,
   AGED ABOUT 41 YEARS,

   PETITIONERS NO.1 TO 3 ARE
   R/AT PANNEDODDI VILLAGE,
   BESAGARAHALLI POST, KOPPA HOBLI,
   MADDURU TALUK, MANDYA DISTRICT - 571 419.

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4. SMT. BHARATHI,
   W/O. LINGARAJU,
   D/O. LATE MALLAIAH,
   AGED ABOUT 39 YEARS,
   R/AT BIDARAKOTE VILLAGE AND POST,
   KOPPA HOBLI, MADDURU TALUK,
   MANDYA DISTRICT - 571 425.

5. SMT. DUNDAMMA,
W/O. KRISHNEGOWDA,
AGED ABOUT 60 YEARS,
RESIDENT OF NILUVAGILU,
MADDURU TALUK,
MANDYA DISTRICT - 571 419.

…PETITIONERS

(BY SRI. BASAVAIAH C, ADVOCATE)

AND:

1. SMT. GOWRAMMA,
W/O. LATE RAMESH,
D/O. LATE KENCHEGOWDA
AND DODDATAYAMMA @ NINGAMMA,
AGED ABOUT 73 YEARS.

2. SRI. PREETHAM GOWDA P.G.
S/O. K. GOVINDU,
AGED ABOUT 34 YEARS,

3. SRI. SUMANTH GOWDA P.G.
S/O. K. GOVINDU,
AGED ABOUT 32 YEARS,

4. SRI. KRUPASHREE P.G.
S/O. K. GOVINDU,
AGED ABOUT 24 YEARS,

5. SRI. R. MAHENDRA,
S/O. LATE RAMESH,
AGED ABOUT 51 YEARS,

RESPONDENTS NO.1 TO 5 ARE

R/AT PANNEDODDI VILLAGE,
KOPPA HOBLI, MADDURU TALUK,
MANDYA DISTRICT - 571 419.

6. SMT. GEETHA,
W/O. SRI. B.S. SHIVALINGAIAH,
AGED ABOUT 49 YEARS,
R/AT NO.183, 3RD MAIN,
3RD CROSS, HANUMATHANAGARA,
BENGALURU - 560 019.

7. SMT. VANAJA,
W/O. LATE PUTTASWAMY,
AGED ABOUT 41 YEARS,

8. CHI. PAVAN. P,
S/O. LATE PUTTASWAMY,
AGED ABOUT 18 YEARS,

9. KUM. BHAVANI. P.,
D/O. LATE PUTTASWAMY,
AGED ABOUT 16 YEARS,

RESPONDENT NO. 9 IS MINOR
REP. BY THEIR NATURAL MOTHER AND
GUARDIAN SMT. VANAJA.

RESPONDENTS NO.7 TO 9 ARE
R/AT PANNEDODDI VILLAGE,
BESAGARAHALLI DAKHLE,
KOPPA HOBLI, MADDURU TALUK,
MANDYA DISTRICT - 571 419.

…RESPONDENTS

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THIS CRP IS FILED UNDER SEC.115 OF CPC., AGAINST THE ORDER DATED 17.04.2026 PASSED ON IA NO.13 IN OS NO.102/2021 ON THE FILE OF I ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, MADDUR., REJECTING THE IA NO.13 FILED UNDER ORDER 7 RULE 11 R/W SEC.151 OF CPC., FOR REJECTION OF PLAINT.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

Aggrieved by the orders passed on IA No.13 dated 17.04.2026 in OS No.102/2021 on the file of I Additional Senior Civil Judge and JMFC, Maddur, the petitioners-defendants are before this Court.

2. Respondents herein had filed a suit seeking declaration that the gift deed dated 06.03.2021 executed by the defendant No.1 in favour of defendant No.2 is null and void and not binding on the plaintiffs and to declare that the plaintiffs are the absolute owners of the property and also sought for partition. In the said suit, an application is filed under Order VII Rule 11 CPC, seeking rejection of the plaint by

defendant Nos.1(a) to (d), 2 and 3, who are the petitioners herein.

3. It is a case of the petitioners that there is no relationship between the plaintiffs and the defendants and the genealogical tree that is shown is not correct. Hence, the plaint has to be rejected. That came to be dismissed by the Trial Court by order impugned. While dismissing the application, the Court observed that the reason as stated by the petitioners cannot be a ground for the Court to reject the plaint. In that case, the Court has to look at the written statement or the documents that were filed along with the application. Aggrieved thereby, the petitioners are before this Court.

4. Learned counsel appearing for the petitioners have reiterated the very same grounds and submit that the Court ought to have looked at the genealogical tree that is placed by the defendants before the Court in the application filed under Order VII Rule 11 of the CPC. According to them, without any discussion, without any consideration, the Court had dismissed the said application and the order impugned needs to be set aside.

5. Having heard the learned counsel for the petitioners, perused the material on record. It is settled law that when an application is filed under Order VII Rule 11 of CPC, seeking rejection of the plaint, the Court would look at the plaint averments and the documents that are filed along with the plaint. Except that, the Court cannot look into any other document. Now, by way of this application, the petitioners had filed a document along with the written statement or along with the application that the genealogical tree that is mentioned by the plaintiffs is not correct, and there is no cause of action, and the plaint has to be rejected. This Court is not able to appreciate the said submission made by the counsel for the petitioners and the Court had rightly dismissed the petition as that is beyond the scope of Order VII Rule 11 of CPC. This Court do not find any reasons to interfere with the order passed by the Trial Court. In that view of the matter, this Court is passing the following:

ORDER

i. Accordingly, the Civil Revision Petition is ***dismissed***.

ii. Pending IAs., if any, shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

BH
List No.: 1 Sl No.: 6
MR