



CNR: KAHC010022462026

NC: 2026:KHC:43143
MFA No. 253 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 253 OF 2026 (CPC)

BETWEEN:

1. SMT. SAROJAMMA,
D/O. LATE NARAYANAPPA,
W/O PATALAPPA,
AGED ABOUT 58 YEARS,
R/AT GANGASANDRA VILLAGE,
THUBGERE HOBLI,
DODDABALLAPUR TALUK,
BANGALORE RURAL DISTRICT - 561 205
2. SMT RATHNAMMA
D/O. LATE NARAYANAPPA,
W/O PRAKASH,
AGED ABOUT 54 YEARS,
R/AT RAMAGONDANAHALLI VILLAGE,
NEAR ANANTHAPURA GATE,
YALAHANKA,
YALAHANKA TALUK - 560 064
3. SMT. NAMRATHA,
D/O.SHANKARAPPA AND LATE PUSHPA,
AGED ABOUT 28 YEARS,
R/AT NELAMANGALA TOWN AND TALUK,
BANGALORE RURAL DISTRICT - 562 123.

...APPELLANTS

(BY SRI. MUNIRAJA M.,ADVOCATE)

Digitally signed
by
GAVRIBIDANUR
SUBRAMANYA
GUPTA
SREENATH
Location: HIGH
COURT OF
KARNATAKA



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AND:

1. SRI R N MUNIRAJU
S/O LATE NARAYANAPPA,
AGED ABOUT 63 YEARS,
2. SMT. GEETHAMMA
W/O R.N. MUNIRAJU,
AGED ABOUT 56 YEARS,
3. SMT. SHASHIKALA
D/O R.N. MUNIRAJU,
AGED ABOUT 42 YEARS,
4. SRI. MUNEGOWDA
S/O R.N. MUNIRAJU,
AGED ABOUT 37 YEARS,
5. SMT. DEEPIKA
D/O R.N. MUNIRAJU,
AGED ABOUT 35 YEARS,

RESPONDENTS NO.1 TO 5 ARE
R/AT RAMANATHAPURA VILLAGE,
KUNDANA HOBLI,
DEVANAHALLI TALUK - 562 164

6. SRI. SHANKARAPPA
H/O. LATE PUSHPA,
AGED ABOUT 60 YEARS,
7. SRI. NAVEEN
S/O. SHANKARAPPA AND LATE PUSHPA,
AGED ABOUT 32 YEARS,



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THE DEFENDANTS NO.6 AND 7 ARE
R/AT NELAMANGALA TOWN AND TALUK,
BANGALORE RURAL DISTRICT

8. SRI. M. VIJAYKUMAR
S/O MUNISHAMAPPA,
AGED ABOUT 31 YEARS,
9. SMT. CHAITHRA.V
D/O VIJAYKUMAR,
AGED ABOUT 28 YEARS,
10. MASTER LIKILOCHANA
S/O M. VIJAYKUMAR,
AGED ABOUT 9 YEARS,
THE RESPONDENT NO.10 IS MINOR
REPRESENTED BY HIS FATHER
M. VJAYKUMAR,
I.E THE DEFENDANT NO.8
THE RESPONDENT NO.8 TO 10 ARE
R/AT NO.713,
PUTTAPANGUDI BEEDI, 19TH WARD,
DEVANAHALLI TOWN AND TALUK,
BANGALORE RURAL DISTRICT - 562 110
11. SMT. H.N. NETHRAVATHI
W/O S. UMESH KUMAR,
AGED ABOUT 29 YEARS,
R/AT WARD NO.9,
DEVANAHALLI DEFENDANT
TOWN, MARALUBAGILU,
BANAGLORE DISTRICT - 562 110



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12. SMT. ANITHAMMA
W/O K. RAVI KUMAR,
AGED ABOUT 36 YEARS,
R/AT NO.75, WARD NO. 13,
MARALUBAGILU TOWN DISTRICT - 562 110
13. THE KARNATAKA INDUSTRIAL AREA DEVELOPMENT
BOARD-2
ARVINDA BHAVANA, 1ST FLOOR,
NRUPATUNGA ROAD,
BANGALORE - 560 001

...RESPONDENTS

(BY SRI. VASANTH RAJ, ADVOCATE FOR R11)

THIS MFA IS FILED U/O.43 RULE 1(r) OF THE CPC, AGAINST THE ORDER DT. 17.12.2025 PASSED ON IA NO.5 IN O.S.NO. 366/2024 ON THE FILE OF THE I ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, DEVANAHALLI, ALLOWING THE IA NO.5 FILED U/O.39 RULE 4 R/W SEC.151 OF CPC, 1908.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL JUDGMENT

This appeal filed before this Court is not maintainable in view of Section 19(1) of the Karnataka Civil Courts Act,



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1964 and the judgment rendered by the Division Bench of this Court in ***Smt. Narayanamma -vs- The State of Karnataka*** in Writ Petition No.17588 of 2024 (GM-RES) c/w Writ Appeal No.200260 of 2025 (GM-RES) dated 8th July, 2026, which is affirmed by the Hon'ble Supreme Court in SLP(c) No.025075/2026 dated 3.8.2026.

2. In view of the above, this Court deems it appropriate to transfer this matter to the concerned District Court for adjudication of the matter from the stage where it is stopped.

3. Accordingly, I pass the following:

ORDER

- i) The appeal stands **disposed of** for statistical purposes.
- ii) Registry is directed to transfer the entire record of the case, to the concerned Principal



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District & Sessions Judge, who may assign it to the concerned Appellate Court having jurisdiction.

- iii) In case there are pending applications, the same also be transferred to be considered by the learned Judge of the concerned Appellate Court, in accordance with law.
- iv) It is made clear that this Court has not made any observation as to the merits of the case and all rights and contentions of the parties are left open to be agitated before the concerned Appellate Court.
- v) List this matter before the learned District Court on 02.09.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 17