



CNR: KAHC010059082014

NC: 2026:KHC:37688-DB
RFA No. 208 of 2014

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

REGULAR FIRST APPEAL NO. 208 OF 2014 (PAR)

BETWEEN:

1. PUTTASWAMAPPA,
S/O LATE PUTTAMADAIHAH,
AGED ABOUT 92 YEARS,
2. MAHADEVAPPA,
S/O LATE PUTTAMADAIHAH,
AGED ABOUT 74 YEARS,
3. SMT. PUTTATHAYAMMA,
W/O LATE BASAVALINGAPPA,
AGED ABOUT 61 YEARS,
4. SHIVAKUMAR,
S/O.LATE BASAVALINGAPPA,
AGED ABOUT 44 YEARS,
5. SANNASHIVA,
S/O LATE BASAVALINGAPPA,
AGED ABOUT 42 YEARS,
6. BHAGYA,
D/O LATE BASAVALINGAPPA,
AGED ABOUT 40 YEARS,
7. MANJULA,
D/O LATE BASAVALINGAPPA,
AGED ABOUT 38 YEARS,

Digitally
signed by
REKHA R
Location:
High Court
of
Karnataka



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8. NAGESH,
S/O LATE BASAVALINGAPPA,
AGED ABOUT 36 YEARS,
9. LOKESH,
S/O LATE BASAVALINGAPPA,
AGED ABOUT 32 YEARS,
10. BASAVARAJU,
S/O LATE PUTTAMADIAH,
AGED ABOUT 63 YEARS,
11. SMT. BASAMMA,
D/O LATE PUTTAMADIAH,
AGED ABOUT 89 YEARS,
12. SMT. RATHNAMMA,
W/O LATE MADAPPA,
AGED ABOUT 56 YEARS,
13. MAHENDRA,
S/O LATE MADAPPA,
AGED ABOUT 30 YEARS,
14. SMT. DAKSHYANI,
D/O LATE MADAPPA,
AGED ABOUT 33 YEARS,
15. SMT. CHIKKABASAMMA,
W/O LATE SHAMBILINGAPPA,
AGED ABOUT 68 YEAR,

APPELLANT NO. 1 TO 15 ARE
R/O LALANADEVANAHALLI VILLAGE,
RESIDENT OF NAGAVALA VILLAGE,
AND P.O. ILWALA HOBLI,
MYSORE TALUK - 570 003.

- 15(a). L.S. LINGARAJU,
S/L LATE CHIKKABASAMMA,



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AGED ABOUT 63 YEARS,
R/AT LALADEVANAHALLI,
ILAVALA HOBLI,
MYSURU TALUK,
MYSURU DISTRICT - 570 003.

- 15(b). ASHOK L.S.,
AGED ABOUT 66 YEARS,
R/AT NAGAWALA VILLAGE AND POST
ILAWALA HOBLI, MYSURU TALUK,
MYSURU - 570 003.

...APPELLANTS

(BY SRI. O SHIVARAMA BHAT., ADVOCATE)

AND:

1. JAYAMMA,
W/O LATE MALLIKARJUNA,
AGED ABOUT 58 YEARS,
NAGAWALA VILLAGE,
MYSORE TALUK - 570 003.
2. PUSHPA,
D/O LATE MALLIKARJUNA,
W/O BASAVANNA,
AGED ABOUT 41 YEARS,
R/O LINGAPURA VILALGE,
KOLLEGALA TALUK.
MYSURU DISTRICT.
3. VIJAYA,
D/O LATE MALLIKARJUNA,
W/O MAHADEVASWAMY,
AGED ABOUT 39 YEARS,
R/O ALLAIHANAPURA VILLAGE,
MANUGANAHALLI P.O,
HAMPAPURA HOBLI,
H.D.KOTE TALUK.
MYSURU DISTRICT - 571 314.



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4. SHYLAJA,
D/O MALLIKARJUNA,
AGED ABOUT 36 YEARS,
NAGAVALA VILLAGE,
MYSORE TALUK - 570 003.
5. KALPANA,
D/O MALLIKARJUNA,
AGED ABOUT 34 YEARS,
NO.271, 19TH CROSS,
III BLOCK, VIJAYANAGAR,
MYSORE.
MYSORE DISTRICT - 570 003.
6. ROOPA,
D/O MALLIKARJUNA,
AGED ABOUT 32 YEARS,
NAGAVALA VILLAGE,
MYSORE TALUK.
MYSORE DISTRICT - 570 003.
7. MALLESHAPPA,
S/O LATE MALLAIAH,
AGED ABOUT 79 YEARS,
8. NANJAPPA,
S/O LATE MALLAIAH,
AGED ABOUT 61 YEARS,
9. NINGARAJU,
S/O LATE MADIAH,
AGED ABOUT 51 YEARS,
10. SMT. PUTATHAYAMMA,
D/O LATE MALLAIAH,
AGED ABOUT 71 YEARS,
11. SHIVANALLAPPA,
S/O LATE NINGAPPA,
AGED ABOUT 66 YEAR,



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RESPONDENTS NO. 1 TO 11 ARE
RESIDENTS OF NAGAWALA VILLAGE
AND P.O., ILAWALA HOBLI,
MYSURU TALUK,
MYSORE DISTRICT - 570 003.

12. SHIVANALLAPPA,
S/O LATE NINGAPPA,
AGED ABOUT 64 YEARS,
DEAD BY LRS
- 12(a). MALLIKARJUNAPPA,
S/O LATE SHIVANALLAPPA,
AGED ABOUT 53 YEARS,
R/AT NO.3353/1,
NEAR NEW CAMBRIDGE SCHOOL,
MARUTHI EXTENSION,
HUNSUR TOWN, HUNSUR,
MYSORE DISTRICT - 571 105.
- 12(b). SMT. KAMALAMMA,
D/O LATE SHIVANALLAPPA,
W/O K. SUNDRAPPA,
AGED ABOUT 49 YEARS,
R/AT NO.3354/1,
NEAR NEW CAMBRIDGE SCHOOL,
MARUTHI EXTENSION,
HUNSUR TOWN, HUNSUR,
MYSORE DISTRICT - 571 105.
- 12(c). SRI. B.S. SOMASHEKAR,
S/O LATE SHIVANALLAPPA,
AGED ABOUT 48 YEARS,
R/AT BANNIKUPPA VILLAGE
AND POST, HUNSUR KASABA,
MYSURU - 571 105.
- 12(d). SRI. B.S. KUMARA,
S/O LATE SHIVANALLAPPA,



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AGED ABOUT 46 YEARS,
R/AT BANNIKUPPA VILLAGE
AND POST, HUNSUR KASBA,
MYSURU - 571 105.

13. MALLESHAPPA,
S/O LATE NINGAPPA,
AGED ABOUT 64 YEARS,

14. SMT. KALAMMA,
D/O LATE NINGAPPA,
AGED ABOUT 68 YEARS,

RESPONDENTS NO. 11 TO 13 ARE
RESIDENT FO BARNIKOPPE VILLAGE,
HUNSUR TALUK.
MYSORE DISTRICT.

15. SMT. NANJAMANNI,
D/O LATE MALLIKARJUNAPPA,
AGED ABOUT 64 YEARS,
DEAD BY LRS.

16. RAVIKUMAR,
S/O LATE MALLIKARJUNAPPA,
AGED ABOUT 40 YEARS,

17. N.M. MURTHY,
S/O LATE MALLIKARJUNAPPA,
AGED ABOUT 36 YEARS,

18. MANI,
S/O LATE MALLIKARJUNAPPA,
AGED ABOUT 44 YEARS,

19. SMT. BHAGYA,
D/O LATE MALLIKARJUNAPPA,
AGED ABOUT 42 YEARS,



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20. SMT. SUDHA,
D/O LATE MALLIKARJUNAPPA,
AGED ABOUT 38 YEARS,

RESPONDENT NO. 14 TO 19 ARE
RESIDENT OF NAGAVALA VILLAGE
& P.O.ILWALA HOBLI,
MYSORE TALUK 570 003.

21. A SUBBANNA,
S/O LATE AANGAIAH,
AGED ABOUT 70 YEARS,
VIJASHREEPURAM,
HINKAL ASHRAM ROAD,
MYSORE
MYSORE DISTRICT - 570 003.

22. T.R. SURESH,
S/O LATE T.A. RAMACHANDRAIAH,
AGED ABOUT 41 YEARS,
NO.549, 11TH BLOCK,
2ND MAIN, 2ND STAGE,
NAGARABHAVI EXTENSION,
BANGALURU - 560 072.

23. R.V. SASHITH,
S/O LATE VENKATASUBBAIAH,
AGED ABOUT 47 YEARS,
R/O RAGHAVAPURA P.O.
GUNDLUPET TALUK,
CHAMARAJANAGARA
DISTRICT - 571 313.

24. MAHENDRA DEVELOPERS,
REPRESENTED BY ITS
MANAGING PARTNER,
MAHENDRA,
P.B.NO.450/3,



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NEW NO.F-10/3,
NEAR J.S.S. HOPITAL,
M.G. ROAD,
MYSORE - 570 004.

...RESPONDENTS

(BY SRI.B.G. UMESH, ADVOCATE FOR C/R7 TO R9,
SRI. B. NAGARAJ, ADVOCATE FOR R12 (a-d),
R13, & R16 TO R20,
VIDE ORDER DATED 05.09.2014 R2-R6 ARE LRS
OF DECEASED R1,
R2 TO R6 & R10, R11, AND R24 ARE SERVED AND
UNREPRESENTED,
VIDE ORDER DATED 05.09.2014 R16 TO R20
ARE LRS OF DECEASED R15,
SRI. A. RAMANJANAPPA, ADVOCATE FOR R21,
VIDE ORDER DATED 09.09.2025 THE APPEAL
STANDS ABATED AGAINST R14,
SRI. K.R. LINGARAJU, ADVOCATE FOR R23,
SRI. P. MAHESHA, ADVOCATE FOR R25)

THIS RFA IS FILED UNDER SECTION 96, R/W O-XLI, OF
CPC.,AGAINST THE JUDGMENT AND DECREE
DATED:24.09.2013 PASSED IN O.S.364/2007 ON THE FILE OF
THE II ADDITIONAL SENIOR CIVIL JUDGE, MYSORE,
DISMISSING THE SUIT FOR PARTITION AND SEPARATE
POSSESSION.

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

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF



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ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

Learned counsel for appellants submit that the matter is settled between the parties and the same may be dismissed as withdrawn.

Considering the said submission, we ***dismiss*** this appeal.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

RR
List No.: 2 Sl No.: 1
ct-vn