



CNR: KAHC010081882014

NC: 2026:KHC:40883
RSA No. 215 of 2014
C/W RSA No. 2062 of 2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 3RD DAY OF AUGUST, 2026
BEFORE
THE HON'BLE MR. JUSTICE ASHOK S.KINAGI
REGULAR SECOND APPEAL NO. 215 OF 2014 (INJ-)
C/W
REGULAR SECOND APPEAL NO. 2062 OF 2021

IN RSA No. 215/2014

BETWEEN:

SMT NANJAMMA
W/O LATE CHIKKA MAVURIAH
SINCE DEAD REP. BY LEGAL REPRESENTATIVE

SMT. RENUKAMMA
W/O REVANNA
D/O NANJAMMA
AGED ABOUT 55 YEARS
R/AT KENKERE VILLAGE
GANDASI HOBLI
ARASIKERE TALUK
HASSAN DISTRICT -573 201

...APPELLANT

(BY SRI. GANGADHARAPPA A V., & G RAVISHANKAR
ADVOCATES)

AND:

SRI. PUTTAVEERANNA
S/O MAVURIAH
AGED ABOUT 44 YEARS
AGRICULTURIST

Digitally
signed by
SHILPABAI S
Location:
HIGH
COURT OF
KARNATAKA



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RESIDENT OF KENKERE VILLAGE
GANDASI HOBLI
ARSIKERE TALUK
HASSAN DISTRICT-573 119.

...RESPONDENT

(BY SRI. D T NANJESH GOWDA, ADVOCATE)

THIS RSA IS FILED U/S. 100 OF CPC., AGAINST THE JUDGEMENT & DECREE DTD 31.10.2013 PASSED IN R.A.NO.64/2009 ON THE FILE OF THE SENIOR CIVIL JUDGE & JMFC., ARASIKERE, ALLOWING THE APPEAL AND SETTING ASIDE THE JUDGEMENT AND DECREE DTD 15.6.2009 PASSED IN OS.NO.29/2007 ON THE FILE OF THE ADDL. CIVIL JUDGE (JR.DN) & JMFC., ARASIKERE.

IN RSA No. 2062/2021

BETWEEN:

1. SMT NANJAMMA
W/O LATE CHIKKA MAVURIAH
(SINCE DEAD REP. BY LEGAL REPRESENTATIVE
APPELLANT No.2 ALREADY ON RECORD)
2. SMT. RENUKAMMA
W/O REVANNA
D/O NANJAMMA
AGED ABOUT 53 YEARS
R/AT KENKERE VILLAGE
GANDASI HOBLI
ARASIKERE TALUK
HASSAN DISTRICT -573 201

...APPELLANTS

(BY SRI. ARUN B K., AND GANGADHARAPPA A V., ADVOCATES)
(A2 (NOC))



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AND:

1. SRI. KUMARA
S/O MAVOORAI AH
AGED ABOUT 48 YEARS
R/AT KENKERE VILLAGE
GANDASI HOBLI
ARASIKERE TALUK
HASSAN DISTRICT – 573 201
2. SRI. PUTTAVEERANNA
S/O MAVOORAI AH
AGED ABOUT 51 YEARS
RESIDENT OF KENKERE VILLAGE
GANDASI HOBLI
ARSIKERE TALUK
HASSAN DISTRICT-573 201

SRI SHIVANNA
S/O MAVOORAI AH
SINCE DEAD REP. BY HIS LEGAL REPRESENTATIVES
3. SMT. LAKSHMAMMA
W/O LATE SRI. SHIVANNA
AGED ABOUT 55 YEARS
R/AT KENKERE VILLAGE
GANDSI HOBLI
ARSIKERE TALUK
HASSAN DISTRICT – 573 201
4. SRI. JAGA
S/O LATE SRI SHIVANNA
R/AT KENKERE VILLAGE
GANDSI HOBLI
ARSIKERE TALUK
HASSAN DISTRICT – 573 201
5. SRI. GURU



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S/O LATE SRI SHIVANNA
AGED ABOUT 19 YEARS
R/AT KENKERE VILLAGE
GANDSI HOBLI
ARSIKERE TALUK
HASSAN DISTRICT – 573 201

(RESPONDENT Nos. 3-5 ARE DELETED VIDE ORDER
DATED 03.08.2026)

...RESPONDENTS

(BY SRI. D T NANJESH GOWDA, ADVOCATES)
(RESPONDENT Nos. 3-5 ARE DELETED VIDE ORDER DATED
03.08.2026)

THIS RSA IS FILED UNDER SECTION 100 OF CPC
AGAINST THE JUDGMENT AND DECREE DATED 03.04.2021
PASSED IN RA.No.72/2017 ON THE FILE OF THE SENIOR
CIVIL JUDGE AND JMFC, ARASIKERE, DISMISSING THE
APPEAL AND CONFIRMING THE JUDGMENT AND DECREE
DATED 24.09.2016 PASSED IN OS.No.279/2007 ON THE
FILE OF THE ADDITIONAL CIVIL JUDGE AND JMFC,
ARSIKERE.

THESE APPEALS, COMING ON FOR FINAL HEARING, THIS
DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI



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ORAL JUDGMENT

In RSA No.2062 of 2021:

1. Appellant No.2 and Respondent Nos.1 and 2 are present before the Court. They have filed a compromise petition.
2. The compromise petition dated 03.08.2026 reads as follows:

"COMPREOMISE PETTTITION UNDER ORDER 23 RULE 1 READ WITH SECTION 151 OF CPC

The appellant No.2 and respondents No.1 and 2 respectfully submit the following compromise petition in the above appeal.

1. Appellants are plaintiffs and respondents No.1 and 2 are defendants No.1 and 2 in O.S. No.279/2007 on the file of the court of Addl. Civil Judge & JMFC at Arsikere. Appellant No.1 Smt. Nanjamma W/o late Chikkamavuraiah has died on 31/1/2022 leaving behind the appellant No.2 in this appeal, as the sole legal representative to succeed to her estate.



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2. Appellants / Plaintiffs filed O.S. No.279/2007 for declaration of title and permanent injunction in respect of properties namely (a) property bearing Sy. No.286/4 measuring 0.33 guntas and (b) property bearing Sy. No.300/1A measuring 0.38 guntas, both situated in Kenkere village, Gandasi Hobli, Arsikere Taluk, Hassan District which are suit schedule properties.

3. The trial court by judgment dated 24/9/2016 partly decreed the suit declaring plaintiffs as owners of suit schedule item No.2 property namely Sy. No.300/1A and granted permanent injunction in respect of the said property. However the trial court dismissed the suit relating to item No.1 of suit schedule namely Sy. No.286/4.

4. Challenging that portion of judgment and decree dated 24/9/2016 passed in O.S. No.279/2007 in so far as dismissal of the suit in respect of Sy. No.286/4 is concerned, the plaintiffs filed R.A. No.72/2017 to the Court of Senior Civil Judge & JMFC at Arsikere. The lower appellate court by judgment dated 3/4/2021



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dismissed the appeal and confirmed the decree passed by the trial court in O.S. No.279/2007. Challenging the judgment and decree of the trial court and the lower appellate court, appellants have filed this appeal.

5. Respondent No.2 in this appeal has filed O.S. No.29/2007 in the Court of the Addl. Civil judge and JMFC at Arsikere against Smt. Nanjamma who is 1st plaintiff in O.S. No.279/2007, for permanent injunction in respect of lands bearing Sy. No.286/1 measuring 0.05 guntas, Sy. No.286/2 measuring 0.40 guntas, Sy. No.286/4 measuring 0.17 guntas and Sy. No.286/5 measuring 0.04 guntas, situated in Kenkere village, Gandasi Hobli, Arsikere Taluk, Hassan District. O.S. No.29/2007 was dismissed by the trial court by judgment dated 15/6/2009. This judgment passed in O.S. No.29/2007 has been reversed by the Court of the Senior Civil Judge & JMFC at Arsikere in R.A. No.64/2009 by judgment dated 31/10/2013 and consequently O.S. No.29/2007 came to be decreed. Challenging the judgment and decree passed by the 1st appellate Court in R.A.



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No.64/2009, Nanjamma filed RSA No.215/2014 before this Hon'ble court. During the pendency of the appeal, Smt. Nanjamma has died on 31/1/2022 leaving behind her sole daughter the appellant No.2 in this appeal as her legal representative to succeed to her estate. Accordingly, appellant No.2 in this appeal came on record as LR in RSA No.215/2014. Both this appeal in RSA No.2062/2021 and RSA No.215/2014 are pending before this Hon'ble court for consideration.

6. By intervention of elders and well-wishers, the appellant No.2 and respondents No.1 and 2 have amicably settled the dispute between them in respect of Sy. No.286/4. For better understanding, a sketch is annexed to this compromise petition and prays that the same shall form the part and parcel of this compromise petition. Portions of properties in Sy. No.286/4 which is in possession and enjoyment of appellant No.2 is demarcated by letters 'ABCDEFGHIIJA' in the sketch measuring 27 guntas. The same is mentioned hereinafter as SCHEDULE-A PROPERTY' in the compromise petition.



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Portions of properties in Sy. No.286/4 which is in possession and enjoyment of respondent No.1 is demarcated by letters 'AKLBA' measuring 26 guntas and that of respondent No.2 is demarcated by letters 'NIHGMM' in the sketch measuring 13 guntas. The property demarcated as 'AKLBA' in the sketch measuring 26 guntas in the possession and enjoyment of respondent No.1 is referred to as 'SCHEDULE-B PROPERTY' in this compromise petition and the property demarcated as by letters 'NIHGMM' in the sketch measuring 13 guntas is in the possession and enjoyment of respondent No.2 which is referred to as 'SCHEDULE-C PROPERTY'.

7. As per compromise entered into, the appellant No.2 accepts and admit that respondent No.1 is the owner in possession and enjoyment of schedule-B property and that of 2nd respondent in Schedule-C property by virtue of sale deeds namely (a) registered sale deed dated 1/2/1972 marked as Ex.D.3 in O.S. No.279/2007 to the extent of 0-13 guntas, (b) registered sale deed dated 11/10/1972 marked as Ex.D4 to the extent of 0-12 guntas and



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another 0-06 guntas and (c) under registered sale deed dated 21/9/1972 marked as Ex.D6 to the extent of 6 guntas. Appellant No.2 has no claim over these bits of land purchased under different sale deeds referred to above. Similarly respondents No.1 and 2 hereby accept and admit that appellant No.2 is the owner in possession and enjoyment of schedule-A property in this compromise petition.

8. Respondents No.1 and 2 have no claim and interest whatsoever over the remaining 0-27 guntas of land in Sy. No.286/4 delineated by letters 'ABCDEFGHIIJA'. Both appellant No.2 and respondents No.1 and 2 agree that the rough sketch annexed to the compromise petition shall form the part and parcel of this compromise petition for better identification of land in Sy. No.286/4 is marked by letters 'ABCDEFGHIIJA', AKLBA' and 'NIHGMN'.

9. Respondents No.1 and 2 further undertake that they will not interfere in any manner with the possession and enjoyment of 0-27 guntas of land marked by letters



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'ABCDEFGHIIJA' in the sketch by appellant No.2 and will not obstruct her from possession and enjoyment, for ingress and egress to the land in Sy. No.286/4.

10. The appellant No.2 and respondents No.1 and 2 hereby agree that the judgment and decree dated 24/9/2016 passed by the Court of Addl. Civil Judge & JMFC at Arsikere in O.S. No.279/2007 in so far as it relates to dismissal of the suit in respect of item No.1 of suit schedule property and the judgment and decree dated 3/4/2021 passed by the Court of Senior Civil Judge & JMFC at Arsikere in R.A. No.72/2017 are to be modified in terms of this compromise petition in respect of 27 guntas of land in Sy. No.286/4 as per Schedule-A property mentioned in this compromise petition and as per the rough sketch. The suit O.S. No.279/2007 be decreed in favour of appellant No.2 Smt. Renukamma in respect of item No.1 of the plaint schedule property by declaring that she is the owner in possession and enjoyment of 27 guntas of land in Sy. No.286/4 marked by letters 'ABCDEFGHIIJA' in the rough sketch.



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11. Respondent No.2 in this appeal by name Puttarevanna hereby agrees to get RSA No.215/2014 arising out of the judgment and decree dated 1/10/2009 passed by the Court of Senior Civil Judge at Arsikere in R.A. No.64/2009 in reversing the judgment and decree dated 15/6/2009 passed by the Court of Addl. Civil Judge & JMFC at Arsikere in O.S. No.29/2007 which is filed by him be disposed of in terms of this compromise petition in respect of item No.3 of plaint schedule property.

12. The appellant no.2 agree to use her land for movement of R1 to have ingress and egress to Schedule-B property of 10 feet width pathway starting from point G upto point B in the rough sketch of this compromise petition.

13. The parties to this compromise petition have agreed to settle their right and title as per possession of the properties at present. All the parties to this compromise have agreed to co-operate each other to get their names mutated in the revenue records. All the parties in this compromise petition have no objection to be in



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possession and enjoyment of their respective possession of schedule property in the revenue records as per this compromise petition.

14 The appellant No.2 and respondents No.1 and 2 hereby declare that there is no force or coercion or undue influence from either side in entering into this compromise. Parties have agreed to bear respective cost.

Wherefore, the appellant No.2 and respondents No.1 and 2 respectfully pray that this Hon'ble court may be pleased to accept the compromise petition and be pleased to dispose of the appeals as per the terms of this compromise petition, in the interest of justice and equity.

SCHEDULE-A PROPERTY

Land bearing Sy. No.286/4 situated at Kenkere village, Gandasi Hobli, Arsikere Taluk, Hassan District totally measuring 1-26 guntas out of this 27 guntas which is demarcated by letter 'ABCDEFGHIIJA' in the rough sketch and bounded on the



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East by : Sy. No.286/4 of
Puttarevanna and Sy.
No.286/3 of Revanna

West by : Sy. No.286/4 of Kumara
and property of Gatti
Siddanna and
Puttarevanna

North by : Road and property of
Puttarevanna in Sy.
No.286/4

South by: Sy.No.286/1 of
Puttarevanna and
Jayarama

SCHEDULE-B PROPERTY

Land bearing Sy. No.286/4 situated at
Kenkere village, Gandasi Hobli, Arsikere
Taluk, Hassan District measuring 26 guntas
which is demarcated by letter 'AKLBA' in the
rough sketch and bounded on the

East by : Sy. No.286/4 of
Renukamma

West by : Sy. No.286/2 of Kumara

North by : Sy. No.286/1
Puttarevanna

South by: Properties of Nagaraju and
Jayarama

SCHEDULE-C PROPERTY

Land bearing Sy. No.286/4 situated at
Kenkere village, Gandasi Hobli, Arsikere
Taluk, Hassan District measuring 13 guntas



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which is demarcated by letter 'NIHGMN' in
the rough sketch and bounded on the

East by : Sy. No.286/6 of Jayarama

West by : Sy. No.286/4 of
Renukamma

North by : Road

South by: Sy. No.286/4 of
Renukamma and Sy.
No.286/3 of Revanna"

3. The contents of the compromise petition are read over and explained to them in Kannada language known to them. They submit that the instant appeal may be disposed of in terms of the compromise petition.
4. I have perused the contents of the compromise petition. There is no legal impediment in accepting the compromise petition.
5. The compromise petition is taken on record.
6. RSA No.2062 of 2021 is **disposed of** in terms of the compromise petition.



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In RSA No.215 of 2014:

7. In view of the settlement in RSA No.2062 of 2021, the appellants herein are not interested in prosecuting RSA No.215 of 2014. Hence, they file a Memo seeking leave of the Court to withdraw the appeal.
8. Memo dated 03.08.2026 is placed on record.
9. RSA No.215 of 2014 is ***dismissed as withdrawn.***
10. In view of disposal of the appeals, pending interlocutory applications, if any, do not survive of consideration and are accordingly disposed of.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

RK
List No.: 2 SI No.: 8