



CNR: KAHC010143982025

NC: 2026:KHC:48148
MFA No. 1599 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 1599 OF 2025 (CPC)

BETWEEN:

1. S V PADMAPRASAD
S/O S.A. VASANTHARAJAIAH,
AGED ABOUT 56 YEARS,
2. T.N. PADMAPRIYA
W/O S.V. PADMAPRASAD,
AGED ABOUT 52 YEARS,
ALL ARE RESIDENTS OF DOOR NO.460,
MAHAVEERA ROAD, SARAGUR TOWN,
SARAGUR TALUK,
MYSURU - 571 121.

...APPELLANTS

(BY SRI. KUMARA K G., ADVOCATE)

AND:

1. KIRAN NAGESH MUGADUR
S/O NAGESH M MUGADUR,
AGED ABOUT 34 YEARS,
2. NAGAVENI N MUGADUR,
W/O NAGESH M MUGADUR,
(ALIAS G.NAGAVENI D/O NARAYANASWAMY)
AGED ABOUT 64 YEARS,
3. NAGESH M MUGADUR,
S/O MARTANDAPPA L MUGADUR,
AGED ABOUT 71 YEARS,
ALL ARE RESIDING AT DOOR NO.26/1,
SY.NO.44/2B, JAYANAGAR END,


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



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NEAR CHAYADEVI ANATHASHRAM,
CHIKKAHARADANAHALLI,
MYSURU - 570 001.

...RESPONDENTS

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC,
AGAINST THE ORDER DATED 23.09.2024 PASSED ON I.A.
NO.XI IN O.S.NO. 71/2020 ON THE FILE OF THE SENIOR
CIVIL JUDGE AND JMFC, H.D. KOTE, ALLOWING THE I.A.
NO.XI FILED UNDER ORDER XXXIX RULE 1 AND 2 READ WITH
SECTION 151 OF CPC.

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,
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



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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 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



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are left open to be agitated before the
concerned Appellate Court.

- v) List this matter before the District Court on
25.09.2026.

**Sd/-
(PRADEEP SINGH YERUR)
JUDGE**

RCK
List No.: 1 Sl No.: 16