



CNR: KAHC010160292026

NC: 2026:KHC:47293
MFA No. 1688 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 1688 OF 2026 (CPC)

BETWEEN:

SRI. NANDISH KUMAR B.G.,
S/O B.C. GIRIGOWDA,
AGED ABOUT 40 YEARS,
R/AT NO.596, NISARGA MARGA,
KAVERI NAGARA,
MANDYA - 571 401

...APPELLANT

(BY SRI. RAVI B. NAIK, SENIOR COUNSEL
SRI. RISHYAK R. BANAVARA, ADVOCATE)

AND:

1. V. K. VIJAYA KUMAR,
S/O LATE SRI K. N. KESHAVAN,
AGED ABOUT 70 YEARS,
WEST VIEW ESTATE,
NAKUR-SUNTICIPPA
SHIRANGALA VILLAGE,
KUSHALNAGAR TALUK,
KODAGU DISTRICT

2. SMT. V.K. PRIYADARSHINI,
D/O LATE SRI K. N. KESHAVAN,
W/O SRI V. V. MURULIDHARAN,
AGED ABOUT 64 YEARS,
R/AT MURULI LODGE,



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GURUVAYUR WEST NADA,
TRICHUR DISTRICT,
KERALA - 680 001

REPRESENTED BY HER GPA HOLDER
SRI. V.K. VIJAYKUMAR
THE PLAINTIFF NO.1 VIDE GPA DATED 06.05.2025
EXECUTED AND ATTESTED BEFORE A NOTARY AT
MADIKERI

3. SMT. SREELATHA VASUDEVAN,
AGED ABOUT 75 YEARS,
W/O LATE SRI K.N. VASUDEVAN,
VALKAT ESTATE, 7TH HOSKOTE V AND POST,
SUNTICOPPA HOBLI,
KUSHALNAGAR TALUK - 571 234

REPRESENTED BY HER GPA HOLDER
SMT. SANDHYA VASUDEVAN
THE PLAINTIFF NO.4 VIDE GPA DATED
28.04.2025, EXECUTED AND ATTESTED
BEFORE A NOTARY AT MADIKERI.

4. SMT. SANDHYA VASUDEVAN,
AGED ABOUT 48 YEARS,
D/O LATE SRI K.N. VASUDEVAN,
W/O SRI PROMOD M.S., ARYAN,
7TH HOSKOTE V AND POST,
SUNTICOPPA HOBLI,
KUSHALNAGAR TALUK - 571 234
5. SMT. VANDANA VASUDEVAN,
AGED ABOUT 45 YEARS,
D/O LATE SRI K.N. VASUDEVAN,



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W/O SRI P.V.PRASAD,
R/AT NO.315, 7TH HOSKOTE V AND POST,
SUNTICOPPA HOBLI, KUSHALNAGAR TALUK

REPRESENTED BY HER GPA HOLDER
SMT. SANDHYA VASUDEVAN
THE PLAINTIFF NO.4 VIDE GPA DATED
28.04.2025, EXECUTED AND ATTESTED
BEFORE A NOTARY AT MADIKERI.
PIN CODE - 571 234

6. SMT. NINGAMMA
AGED ABOUT 75 YEARS,
W/O LATE SRI K.N. JOYAPPA
7. SMT. K. J. LEELAVATHI,
AGED ABOUT 50 YEARS,
D/O LATE SRI K.N. JOYAPPA,
W/O SRI KITTANNA RAI,
R/AT KANBILE VILLAGE,
SUNTICOPPA HOBLI
KUSHALNAGAR TALUK - 571 234
8. SMT. K. J. KANTHI,
AGED ABOUT 44 YEARS,
D/O LATE SRI K.N. JOYAPPA,
9. SMT. K. J. KUSUMA,
AGED ABOUT 42 YEARS,
D/O LATE SRI K.N. JOYAPPA
10. K.J. JAGADISH,
AGED ABOUT 40 YEARS,
S/O LATE SRI K.N. JOYAPPA



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THE RESPONDENTS NO.6, 8 TO 10 ARE
RESIDING AT NAKOOR-SHIRANGALA VILLAGE,
SUNTICOPPA HOBLI,
KUSHALNAGAR TALUK - 571 234

...RESPONDENTS

(BY SRI. K.M. JAGANATH, ADVOCATE FOR R1 TO R5
SRI. DURGAPPA S., ADVOCATE FOR R6 TO R10)

THIS MFA IS FILED U/O.43 RULE 1(r) OF THE CPC,
AGAINST THE ORDER DATED 09.12.2025 PASSED ON IA.NO. II
IN O.S.NO.54/2025 ON THE FILE OF THE SENIOR CIVIL JUDGE
AND JMFC, SOMAWARAPETE, ALLOWING THE IA.NO. II FILED
U/O. 39 RULE 1 AND 2 OF CPC.

THIS APPEAL, COMING ON FOR ADMISSION, 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)



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



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- 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) Learned counsel for appellants and learned counsel for the respondents are present. Hence, the parties shall appear before the learned District Judge on 23.09.2026 without awaiting further notice.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 35