



CNR: KAHC010205642017

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

REGULAR SECOND APPEAL NO. 225 OF 2017 (PAR)

BETWEEN:

LATE KENCHAPPA
SINCE DEAD BY HIS LRS

1a. SMT. CHIKKATHAYAMMA
W/O. LATE KENCHAPPA
AGED ABOUT 75 YEARS
R/O. NERALAKERE VILLAGE
THIPPASANDRA HOBLI
MAGADI TALUK
RAMANAGARA DISTRICT - 571 511

1b. SMT. DHANALAKSHMI
D/O. LATE KENCHAPPA
W/O. PAPAIAH
AGED ABOUT 50 YEARS
R/O. KOLIHALLI VILLAGE
HEEREHALLI POST
TUMKUR TALUK AND DISTRICT - 572 168

1c. SRI. VENKATESH N.K.
S/O. LATE KENCHAPPA
AGED ABOUT 45 YEARS
R/O NERALAKERE VILLAGE
THIPPASANDRA HOBLI
MAGADI TALUK, RAMANAGARA DISTRICT - 571 511



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1d. SMT. MANJULA N.K.
D/O. LATE KENCHAPPA
W/O. LOKESH
AGED ABOUT 43 YEARS
R/O. CHIGALURU VILLAGE
THIPPASANDRA POST
MAGADI TALLUK
BENGALURU SOUTH DISTRICT - 562 131

1e. SMT. RATHNAMMA
D/O. LATE KENCHAPPA
W/O. LATE NAGARAJU
AGED ABOUT 35 YEARS
R/O NERALAKERE VILLAGE
THIPPASANDRA HOBLI, MAGADI TALUK
RAMANAGARA DISTRICT - 571 511

...APPELLANTS

(BY SRI. P. MAHESHA, ADVOCATE)

AND:

1. GANGAIAH
S/O LATE HANUMAIAH
AGED ABOUT 65 YEARS
R/O NERALAKERE VILLAGE
THIPPASANDRA HOBLI
MAGADI TALUK
RAMANAGARA DISTRICT - 571 511
2. VENKATAIAH
S/O LATE HANUMAIAH
AGED ABOUT 65 YEARS
R/O NERALAKERE VILLAGE
THIPPASANDRA HOBLI
MAGADI TALUK
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LATE KENCHAMMA
SINCE DEAD BY LRS

3a. SMT. JAYAMMA
W/O. H. GANGAIAH
D/O. LATE KENCHAMMA
AGED ABOUT 55 YEARS
TAREDAKUPPE POST
KOTHAGERE HOBLI
KUNIGAL TALUK
TUMKUR DISTRICT - 572 120

3b. SRI. ANANTHAIAH
S/O. LATE CHIKKASANAIAH
AND KENCHAMMA
AGED ABOUT 50 YEARS
R/AT SULEKUPPE COLONY
TAREDAKUPPE POST
KOTHAGERE HOBLI
KUNIGAL TALUK
TUMKUR DISTRICT - 572 120

4. SMT BORAMMA
W/O LATE NADIKERIAIAH
AGED ABOUT 80 YEARS
R/O NERALAKERE VILLAGE
THIPPASANDRA HOBLI
MAGADI TALUK
RAMANAGARA DISTRICT - 571 511

LATE THIMMAMMA
SINCE DEAD BY LR'S
(DIED ON 01.09.2017)



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- 5a. SMT. SUJATHA
W/O. UMESH
D/O. LATE THIMMAMMA
AGED ABOUT 44 YEARS
R/AT KARIMSABH LAYOUT
BEYOND KUSEGU GARMENTS
VISHWANIDUM POST
HEGGANAHALLI
- 5b. SMT. NAGARATHNA
W/O. RAMESH
D/O. LATE THIMMAMMA
AGED ABOUT 42 YEARS
R/AT MAHADESHWARA PROVISION STORES
BEYOND KUSEGU GARMENTS
VISHWANIDUM POST
HEGGANAHALLI
- 5c. SMT. LEELAVATHI
W/O. BASAVARAJU
D/O. LATE THMMAMMA
AGED ABOUT 40 YEARS
R/AT KAMASAGARA
SANGIGHATTA POST
THIPPASANDRA HOBLI, MAGADI TALUK
RAMANAGARA DISTRICT.
- 5d. SRI. HANUMANTHARAJU
S/O. YALAKKI GOWDA
AND LATE THIMMAMMA
AGED ABOUT 36 YEARS
R/AT NERALAKERE VILLAGE
THIPPASANDRA HOBLI, MAGADI TALUK
RAMANAGARA DISTRICT - 571 511



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5e. SRI. NAVEEN KUMAR
S/O. LATE YALAKKI GOWDA
AND LATE THIMMAMMA
AGED ABOUT 33 YEARS
R/AT NERALAKERE VILLAGE
THIPPASANDRA HOBLI, MAGADI TALUK
RAMANAGARA DISTRICT - 571 511

...RESPONDENTS

(BY SRI. KALEEMULLAH SHARIFF, ADVOCATE FOR
R1, R3(A) AND R4
SRI. NITESH KUMAR SINGH, ADVOCATE FOR
R3(b), R5(a TO e), R4
R2 - SERVED)

THIS RSA IS FILED UNDER SEC. 100 OF CPC., AGAINST
THE JUDGMENT AND DECREE DATED 26.11.2016 PASSED IN
RA NO.46/2012 ON THE FILE OF THE SENIOR CIVIL JUDGE
AND JMFC., KUNIGAL, ALLOWING THE APPEAL AND
DISMISSING THE JUDGMENT AND DECREE DATED 29.09.2012
PASSED IN OS NO.143/1999 ON THE FILE OF THE PRL. CIVIL
JUDGE AND JMFC., KUNIGAL.

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



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CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

Learned counsel for the appellant files a memo with copy of the compromise decree passed in O.S.No.887/2014. Memo is signed by the appellants as well as learned counsel for the appellants. Memo reads as under:

"The Appellants respectfully submit before this Hon'ble Court as follows -

The Parties to the present appeal, during the lifetime of the Original Appellant - Mr. Kenchappa, have arrived at a Compromise in OS No. 887/2014 on the file of the Senior Civil Judge and JMFC, Magadi and a Compromise Decree is drawn on 07-03-2024 and in the said compromise, suit schedule property in dispute in this Appeal has been allotted to the share of Respondent No. 1 Gangaiah to an extent of 0-16 Guntas in Sy No. 40/2C and Respondent No. 3(b) - Mr. Ananthaiah to an extent of 1-16 Guntas in SY No. 40/2C.

Hence it is prayed that this Hon'ble Court may kindly be pleased to permit the Appellant to withdraw the Appeal by recording that the parties are bound by the Compromise arrived at in OS No. 887/2014 on the file of the Senior Civil Judge and JMFC, Magadi, with respect to the suit



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schedule Property in question in the present appeal, in the interest of justice and equity."

Placing the memo on record, appeal stands ***dismissed as withdrawn.***

However, parties are directed to adhere to the terms of compromise decree passed in the suit.

**SD/-
(V SRISHANANDA)
JUDGE**

KAV
List No.: 1 Sl No.: 32