



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

REGULAR SECOND APPEAL NO. 1346 OF 2013 (PAR)

BETWEEN:

SRI T M VENKATARAMAIAH
S/O.LATE MUDALAGIRIYAPPA,
AGED ABOUT 67 YEARS,
AGRICULTURIST & BUSINESSMAN,
R/O.DURGA STREET,
TARIKERE TOWN,
TARIKERE TALUK – 577 228
CHIKMAGALUR DISTRICT.

...APPELLANT

(BY SRI. J N NAVEEN, ADVOCATE)

AND:

SMT. SHANKARAMMA
W/O. LATE MUDALAGIRIYAPPA,
SINCE DEAD BY HER L.R.
SMT. T.M.SAROJAMMA,
W/O. RAMASWAMY,
AGED ABOUT 49 YEARS,
R/O.M.G. ROAD,
TARIKERE TOWN - 577228,
NEAR K.E.B., TARIKERE TALUK,
CHIKMAGALUR DISTRICT.

...RESPONDENT

(BY SRI. CHANDRASHEKAR P PATIL., ADVOCATE)

Digitally
signed by
SUNITHA K S
Location:
HIGH COURT
OF
KARNATAKA





THIS RSA IS FILED U/S. 100 OF CPC AGAINST THE JUDGEMENT & DECREE DTD 1.3.13 PASSED IN R.A.NO.176/2010 ON THE FILE OF PRINCIPAL DISTRICT JUDGE, CHIKMAGALUR, DISMISSING THE APPEAL AND CONFIRMING THE JUDGEMENT AND DECREE DTD 17.4.10 PASSED IN OS.NO.31/2006 ON THE FILE OF SENIOR CIVIL JUDGE AND PRINCIPAL JMFC, TARIKERE.

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

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

ORAL JUDGMENT

The Appellant and the respondent are present before the Court, and they are identified by their respective counsel.

2. The appellant and the respondent have filed a compromise petition under Order 23 Rule 3 of CPC, which reads as follows:

The Appellant and Respondent above named submit as follows:-



1. In the top noted Appeal, the Appellant has Challenged the Judgment and Decree dated 01/03/2013, passed by the learned Principal District judge, Chikmagalur, in R.A. No. 176/2010 confirming the Judgment and Decree dated 17/04/2010, passed by the Senior Civil Judge, Tarikere in O.S. No. 31/2006, wherein the suit filed by the Plaintiff came to be decreed by ½ share in the suit schedule properties.

2. Due to the intervention of well-wishers and Friends the Appellant and Respondent-2 have amicably settled their disputes as under.

3. The Appellant Sri. T.M. Venkataramaiah S/o Late Mudalagiriappa is declared as absolute owner of the following properties.

- (1) (Schedule-1) Property bearing Sy. No. 49/P, measuring 26 guntas assessed at Rs. 23.71, areca garden, situated at Tarikere Village, Kasaba Hobli, Tq. Tarikere, Dist: Chikmagaluru, bounded as under

East : Areca garden of Saganappa,
West : : Halla,
North : Oni,
South : Sy.No.48/2 and Sy. No. 48/1]
(allotted to Smt. T.M. Sarojmma)

- (ii) (Schedule- 4) House property bearing Sl. No. 541, Assessment No. 530, measuring 25 feet X 114 feet, situated at Tarikere Town, Durgada Beedi bounded

East : House of Gurish,
West : House of Eshwara,
North : Road,
South : Site of Krishnamurthy.

- (iii) (Portion of Schedule- 5) property bearing Sl. No. 899, measuring 15 feet X 40 feet consisting with Floor Mill,



*Ragi Clean Machine and Areca cutting Machine
situated at Bapuji colony, Tarikere Town, bounded*

*East : House of Laxman,
West : House of Rangappa,
North : Municipal Road,
South : Site of Gangamma.*

4. The second Respondent by name Smt. T.M. Sarojamma W/o Ramaswamy (D/o Late Mudalagiriappa) is declared as absolute owner of the following Properties.

- (i) (Schedule -2) Property bearing Sy. No. 48/2, measuring 00.19 guntas assessed at Rs. 16.42, areca garden, situated at Tarikere Village, Kasaba Hobli, Tq. Tarikere, Dist: Chikmagaluru, bounded as under*
- (ii) (Schedule, -3) Property bearing Sy. No. 48/1, measuring 00.04 guntas assessed at Rs. 10.03, areca garden, situated at Tarikere Village, Kasaba Hobli, Tq. Tarikere, Dist: Chikmagaluru,*

Sy. No. 48/1 and Sy. No. 48/2 are adjacent to each other and measuring in all 00.23 guntas bounded as under

*East : Areca garden of Saganappa,
West : Halla,
North : Sy. No. 49/P (fell to the share of T. M. Venkataramaiah)
South : Vacant sites of Saganappa.*

(iii) (Portion of Schedule- 5) property bearing Sl. No. 899, measuring 15 feet X 30 feet situated at Bapuji colony, Tarikere Town, bounded.

*East : House of Laxman,
West : House of Rangappa,
North : Municipal Road,
South : Site of Gangamma.*



5. The Appellant has agreed to hand over the possession of the properties allotted in favour of Smt. T.M. Sarojamma, without any hindrance, on or before 15-08-2026.

Hence, both parties humbly prays that this Hon'ble Court be pleased to dispose of the top noted Appeal, in terms of the compromise Petition and return the Court Fees to the Appellant/s as per law, in the interest of justice and equity.

3. The contents of the compromise petition are read over, and explained to the parties in Kannada language known to them. They have accepted the terms and conditions of the compromise petition, and accordingly, prayed to dispose of the instant appeal in terms of the compromise petition.

4. The compromise petition is taken on record.

5. Perused the compromise petition and I am satisfied that the terms and conditions of the compromise petition are lawful.



6. In the circumstances, I do not find any legal impediment to accept the compromise arrived at between the parties, and to dispose of this appeal in terms of compromise petition.

7. Accordingly, I proceed to pass the following:

ORDER

- (i) This Regular Second Appeal is ***disposed of*** in terms of the compromise petition.
- (ii) The Office is directed to draw up the final decree in terms of the compromise petition.
- (iii) In view of the disposal of the appeal, pending interlocutory applications, if any, stand disposed of.

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

SSB