



CNR: KAHC010313262026

NC: 2026:KHC:44080
MFA No. 3058 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 3058 OF 2026 (CPC)

BETWEEN:

SRI. B.S. TULASIRAMU
S/O B. SIDDARAJU,
AGED ABOUT 66 YEARS,
NO.910, 'I' BLOCK,
RAMAKRISHNA NAGAR
MYSURU - 570 022.

...APPELLANT

(BY SRI. S.RAJASHEKAR, ADVOCATE)

AND:

1. SMT. C. NALINI URS
W/O LATE H. VIJAYACHANDRA RAJ URS
AGED ABOUT 63 YEARS
2. SRI LOHITH V URS
S/O LATE H. VIJAYACHANDRA RAJ URS
AGED ABOUT 42 YEARS
3. SMT. CHAITRA V URS
D/O LATE H. VIJAYACHANDRA RAJ URS
AGED ABOUT 40 YEARS
4. SRI PHALGUNA V URS
S/O LATE H. VIJAYACHANDRA RAJ URS
AGED ABOUT 38 YEARS

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



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ALL ARE RESIDING AT
NO.826, GRAMA PANCHAYATH OFFICE ROAD,
HINKAL, MYSURU - 570 017.

...RESPONDENTS

(BY SMT. SUMANA NAGANAND, ADVOCATE)

THIS MFA IS FILED U/O. 43 RULE 1(r) OF THE CPC, AGAINST THE ORDER DATED 24.03.2026 PASSED ON IA NO.1 AND 9 IN O.S.NO.14/2022 ON THE FILE OF THE II ADDITIONAL SENIOR CIVIL JUDGE AND CJM, MYSURU, DISMISSING THE IA NO.1 FILED UNDER ORDER 39 RULE 1 AND 2 READ WITH SECTION 151 OF CPC, 1908 AND ALLOWING IA NO.9 FILED UNDER ORDER 39 RULE 4 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) c/w Writ Appeal No.200260 of 2025 (GM-RES) dated 08.07.2026, which is affirmed by the Hon'ble Supreme Court in SLP(c) No.025075/2026 dated 03.08.2026.



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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.
- 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) Both the appellant and the respondents shall appear before the concerned Appellate Court on **10.09.2026** without awaiting any further notice from this Court or from the concerned Appellate Court.



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- v) 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.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

VM
List No.: 1 SI No.: 34