



CNR: KAHC010374302014

NC: 2026:KHC:45130
RFA No. 1399 of 2014
C/W RFA No. 1454 of 2014

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

REGULAR FIRST APPEAL NO. 1399 OF 2014 (PAR)

C/W

REGULAR FIRST APPEAL NO. 1454 OF 2014

IN RFA No.1399/2014:

BETWEEN:

1. SRI. MAHALINGAPPA
S/O LATE ERANNA,
AGED ABOUT 49 YEARS,
AGRICULTURIST,
R/O K. HOSAHALLI,
NOW CALLED AS BASAVESHWARA NAGAR,
KADUR TOWN,
CHIKMAGALUR DISTRICT-577101.

Digitally signed
by RUPA V

Location: HIGH
COURT OF
KARNATAKA

(BY SRI. GURURAJ R, ADV.,)

...APPELLANT

AND:

1. KUMARI H M LAVANYA
D/O MAHALINGAPPA,
AGED ABOUT 18 YEARS,
STUDENT, MAJOR
C/O SMT. N.S. CHANDRAMMA
W/O MAHALINGAPPA
R/AT K. HOSAHALLI,
NOW CALLED AS BASAVESHWARA NAGAR,
KADUR TOWN,
CHIKMAGALUR DISTRICT-577101.



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SMT. H.E. RATHNAMMA
DEAD BY HER LRS.

2. SRI. K.M. CHANDRASHEKAR,
S/O K.B. MAHESHWARAPPA,
AGED ABOUT 48 YEARS,
DEPUTY MANAGER,
M.C.P. LTD., MYSORE-570001.
3. SMT. YASHODHA K.M. @ BHARATHI K.M.
D/O K.B. MAHALINGAPPA,
AGED ABOUT 42 YEARS,
AGRICULTURIST,
R/O K. HOSAHALLI,
NOW CALLED AS BASAVESHWARA NAGAR,
KADUR TOWN,
CHIKMAGALUR DISTRICT-577101.
4. SMT. BHAGYA K.M
D/O K.B. MAHESHWARAPPA,
W/O M. BASAVARAJU,
AGED ABOUT 41 YEARS,
R/O NISARGA NILAYA,
BEHIND GOVERNMENT HOSPITAL,
SAKHARAYAPATNA, KADUR TALUK,
CHIKMAGALUR DISTRICT-577101.
5. MAHESHAPPA
S/O LATE BOMMANNA,
AGED ABOUT 68 YEARS,
K. HOSAHALLI
NOW PRESENTLY R/AT.
R/O BASAVESHWARA NAGAR,
KADUR TOWN, KADUR TALUK
CHIKMAGALUR DISTRICT-577101.
6. SMT. GEETHA
W/O JAYANNA,
AGED ABOUT 46 YEARS,



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K. HOSAHALLI
NOW PRESENTLY R/AT.
R/O BASAVESHWARA NAGAR,
KADUR TOWN, KADUR TALUK
CHIKMAGALUR DISTRICT-577101.

...RESPONDENTS

(BY SRI. M.V. RAMESH JOIS &
SRI. NAVEEN PATEL, ADV., FOR R1
SMT. SANDHYA U. PRABHU, ADV., FOR R2
SRI. PRASANNA B.R. FOR PROPOSED IMPEADING R7 & R8
R3 YASHODA K.M SD
R4 BHAGYA K.M. SD
R5 MAHESHAPPA SD
R6 GEETHA SD)

THIS RFA IS FILED U/SEC 96 OF CPC, AGAINST THE
JUDGEMENT AND DECREE DATED 28.7.2014 PASSED IN
O.S.70/2004 ON THE FILE OF SENIOR CIVIL JUDGE AND JMFC,
KADUR, PARTLY DECREETING THE SUIT FOR DECLARATION,
PARTITION AND SEPARATE POSSESSION.

IN RFA NO.1454/2014:

BETWEEN:

SMT. H.E. RATHNAMMA
DEAD BY HER LR'S.

1. SRI K M CHANDRASHEKAR
S/O K B MAHESHWARAPPA
AGED ABOUT 47 YEARS
DEPUTY MANAGER
M C P LTD., MYSORE.
2. SMT YASHODHA K M @ BHARATHI K M
D/O K B MAHALINGAPPA
AGED ABOUT 42 YEARS



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AGRICULTURIST
R/O K HOSAHALLI
NOW CALLED AS BASAVESHWARA NAGAR
KADUR TOWN, KADUR TALUK
CHIKMAGALUR DISTRICT.

3. SMT BHAGYA K M
D/O K B MAHALINGAPPA
W/O M BASAVARAJU
AGED ABOUT 40 YEARS
R/O NISARGA NILAYA
BEHIND GOVERNMENT HOSPITAL
SAKHARAYAPATNA, KADUR TALUK
CHIKMAGALUR DISTRICT-577101.

...APPELLANTS

(BY SMT. SANDHYA U. PRABHU, ADV., FOR
SRI. SANTHOSH R. NELKUNDRI, ADV.,)

AND:

1. KUMARI H M LAVANYA
D/O MAHALINGAPPA
AGED ABOUT 17 YEARS
REP. BY HER NATURAL GUARDIAN
& MOTHER SMT N S CHANDRAMMA
W/O MAHALINGAPPA
AGED ABOUT 42 YEARS
AGRICULTURIST
R/O K HOSAHALLI
NOW CALLED AS BASAVESHWARA NAGAR
KADUR TOWN, KADUR TALUK
CHIKMAGALUR DISTRICT.
2. MAHESHAPPA
S/O LATE BOMMANNA
AGED ABOUT 67 YEARS
R/O BASAVESHWARA NAGAR
KADUR TOWN
CHIKMAGALUR DISTRICT.



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3. SMT GEETHA
W/O JAYANNA
AGED ABOUT 36 YEARS
R/O BASAVESHWARA NAGAR
KADUR TOWN
CHIKMAGALUR DISTRICT.
4. MAHALINGAPPA
S/O ERANNA
R/O. K. HOSAHALLI
NOW CALLED AS
BASAVESHWARA NAGAR
KADUR TOWN, KADUR TALUK
CHIKMAGALUR-577101.

...RESPONDENTS

(BY SRI. RAMESH M.V.
SRI. JOIS & NAVEEN PATEL &
SRI. SURESH KUMAR H.M. ADV., FOR C/R1
R1 REP BY NATURAL GUARDIAN
SRI. GURURAJ R, ADV., FOR R4
V/O/DTD:18.08.2015, NOTICE TO R2 & R3 IS D/W)

THIS RFA IS FILED U/SEC 96 OF CPC, AGAINST THE
JUDGEMENT AND DECREE DATED 28.7.2014 PASSED IN
O.S.NO.70/2004 ON THE FILE OF SENIOR CIVIL JUDGE
AND J.M.F.C., KADUR, PARTLY DECREERING THE SUIT FOR
DECLARATION, PARTITION, SEPARATE POSSESSION AND
DECLARATION.

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

CORAM: HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL



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ORAL JUDGMENT

In view of the judgment rendered by the Division Bench of this Court in **WP.No.17588/2024 c/w WA.No.200260/2025** dated **08.07.2026**, which is affirmed by the Hon'ble Supreme Court in **SLP(C).No.025075/2026 dated 03.08.2026**, the Registry is directed to take steps to transfer this appeal to the appropriate Court.

2. For statistical purposes, the appeal is **disposed of**.

3. All pending applications shall be considered by the transferee Court.

Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE

ABK
List No.: 2 Sl No.: 3