



CNR: KAHC010490152024

NC: 2026:KHC:43904
MFA No. 5720 of 2024

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. 5720 OF 2024 (CPC)

BETWEEN:

1. SMT. PILLAMMA
W/O LATE CHIKKA PILLAPPA ALIAS BODAPPA,
AGED ABOUT 73 YEARS,
2. SMT RATHNAMMA
D/O LATE CHIKKA PILLAPPA ALIAS BODAPPA,
AGED ABOUT 55 YEARS,
3. SRI NANJUNDAPPA
S/O LATE CHIKKA PILLAPPA ALIAS BODAPPA,
AGED ABOUT 53 YEARS,
4. SRI MUNIRAJU
S/O LATE CHIKKA PILLAPPA ALIAS BODAPPA,
AGED ABOUT 52 YEARS,
5. SRI MUNE GOWDA
S/O LATE CHIKKA PILLAPPA ALIAS BODAPPA,
AGED ABOUT 47 YEARS,

ALL ARE RESIDING AT
MUDDANAYAKANAHALLI V,


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



CNR: KAHC010490152024

NC: 2026:KHC:43904
MFA No. 5720 of 2024

KUNDANA HOBLI DEVANAHALLI TALUK,
BANGALORE RURAL DISTRICT 562110

...APPELLANTS

(BY SRI.K.RAMI REDDY., ADVOCATE)

AND:

1. SMT. BHAGYAMMA
W/O BYRAREDDY,
AGED ABOUT 45 YEARS,
RESIDING AT
GANGAREKALUVE VILLAGE
KASABA HOBLI,
CHIKKABALLAPURA TALUK DT-562104
2. SRI CHANNA KESHAVA
S/O LATE CHIKKA PILLAPPA ALIAS BODAPPA,
AGED ABOUT 49 YEARS,
3. SMT RATHNAMMA
D/O LATE PILLAPPA ALIAS DODDA PILLAPPA,
AGED ABOUT 59 YEARS,

RESPONDENT 2 TO 3
RESIDING AT
MUDDANAYAKANAHALLI VILLAGE,
KUNDANA HOBLI, DEVANAHALLI TALUK,
BANGALORE RURAL DISTRICT 562110
ALSO RESIDING AT
GOLLAHALLI VILLAGE,
KASABA HOBLI,
CHICKBALLAPURA TALUK AND DISTRICT 562123

...RESPONDENTS

(BY SRI.MANJUNATH.K.V., ADVOCATE)



CNR: KAHC010490152024

NC: 2026:KHC:43904
MFA No. 5720 of 2024

THIS MFA IS FILED UNDER ORDER 43 RULE 1(d) OF CPC, AGAINST THE ORDER DATED 03.07.2024 PASSED IN MISC.PETITION NO. 3/2016 ON THE FILE OF THE IIIRD ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, DEVANAHALLI, C/c OF IIND ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, DEVANHAALLI, DISMISSING THE PETITION FILED UNDER ORDER 9 RULE 13 READ WITH SECTION 151 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 8th July, 2026, which is affirmed by the Hon'ble Supreme Court in SLP(c) No.025075/2026 dated 3.8.2026.



CNR: KAHC010490152024

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.



CNR: KAHC010490152024

NC: 2026:KHC:43904
MFA No. 5720 of 2024

- 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 10.09.2026 without awaiting further notice.
- vi) As an interim order is granted by this Court, the same shall continue till disposal of the application before the District Court. No opinion is expressed by this Court.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 22