



NC: 2026:KHC:28857
MFA No. 7516 of 2019
C/W MFA No. 8795 of 2018
MFA No. 7517 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 7516 OF 2019 (CPC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 8795 OF 2018

MISCELLANEOUS FIRST APPEAL NO. 7517 OF 2019

IN MFA No. 7516/2019

BETWEEN:

1. SRI. S.P. SIVANANDAM
S/O SRI PONGIANNAN
AGED ABOUT 58 YEARS,
R/AT NO. 173
BHAVANI MAIN ROAD,
ERODE-638 004
TAMILNADU
2. SMT S S MALLIGAA
W/O S P SIVANANDAM
AGED ABOUT 52 YEARS,
R/AT NO.173
BHAVANI MAIN ROAD,
ERODE-638 004
TAMIL NADU

...APPELLANTS

(BY SRI. BHANU PRASAD K.,ADVOCATE)

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



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AND:

1. SMT. VELLIYAMMA
W/O LATE NARAYANA SWAMY
AGED ABOUT 69 YEARS,
R/AT NO.8 GOSIAH STREET,
AKKITHIMMANAHALLI
SHANTHINAGAR
BENGALURU-560 027

...RESPONDENT

(BY SRI.V.G.BHANU PRAKASH ., ADVOCATE)

THIS MFA IS FILED U/O.43 RULE 1(r) OF THE CPC,
AGAINST THE ORDER DT.14.08.2019 PASSED ON IA NO.1 IN
O.S.NO.3714/2018 ON THE FILE OF THE XII ADDITIONAL CITY
CIVIL & SESSIONS JUDGE, BENGALURU (CCH NO.27),
DISMISSING IA NO.1 FILED U/O.39 RULE 1&2 OF CPC.

IN MFA NO. 8795/2018

BETWEEN:

1. SMT. VELLIYAMMA
W/O LATE C NARAYANA SWAMY
AGED ABOUT 68 YEARS
R/A NO.8, GOSIAH STREET
AKKITHIMMANAHALLI
SHANTHINAGARA
BENGALURU-560027

...APPELLANT

(BY SRI.V.G.BHANU PRAKASH ., ADVOCATE)



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MFA No. 7517 of 2019

AND:

1. DR B RAJENDRA PRASAD
S/O T BASANTHAPPA
R/A FLAT NO.201
PLOT NO.360
6TH A CROSS
RMV 2ND STAGE
SANJAYNAGAR
BENGALURU-560094

...RESPONDENT

(BY SRI. BHANU PRASAD K FOR C/R., ADVOCATE)

THIS MFA IS FILED U/O.43 RULE 1(r) OF THE CPC,
AGAINST THE ORDER DT.06.10.2018 PASSED ON IA NO.1
IN O.S.NO.4727/2018 ON THE FILE OF THE XXIX
ADDITIONAL CITY CIVIL & SESSIONS JUDGE, BENGALURU
(CCH-30), ALLOWING IA NO.1 FILED U/O.39 RULE 1&2 OF
CPC.

IN MFA NO. 7517/2019

BETWEEN:

1. SRI. S.P. SIVANANDAM
S/O SRI PONGIANNAN,
AGED ABOUT 58 YEARS,
R/AT NO.173,
BHAVANI MAIN ROAD,
ERODE 638004, TAMIL NADU.
2. SMT S.S.MALLIGGAA
W/O S.P.SIVANANDAM,
AGED ABOUT 52 YEARS,



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MFA No. 7516 of 2019
C/W MFA No. 8795 of 2018
MFA No. 7517 of 2019

R/AT NO.173,
BHAVANI MAIN ROAD,

ERODE 638004, TAMIL NADU.

...APPELLANTS

(BY SRI. BHANU PRASAD K.,ADVOCATE)

AND:

1. SMT. VELLIYAMMA
W/O LATE NARAYANA SWAMY,
AGED ABOUT 69 YEARS,
R/AT NO.8, GOSIAH STREET,
AKKITHIMMANAHALLI,
SHANTHINAGAR,
BENGALURU 560027

...RESPONDENT

(BY SRI.V.G.BHANU PRAKASH., ADVOCATE)

THIS MFA IS FILED U/O 43 RULE 1(r) OF CPC,
AGAINST THE ORDER DATED 14.08.2019 PASSED ON
I.A.NO.1 IN OS.NO.3715/2018 ON THE FILE OF THE
XIIADDITIONAL CITY CIVIL AND SESSIONS JUDGE CCH-
27, BENGALURU, DISMISSING THE I.A. NO.I FILED UNDER
ORDER 39 RULE 1 AND 2 OF CPC.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR



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MFA No. 7517 of 2019

ORAL JUDGMENT

Learned counsel for the appellant has filed a memo in MFA.No.7516/2019 and MFA.No.7517/2019 to dismiss the appeals has not pressed.

2. The memo is taken on record; MFA.No.7516/2019 and MFA.No.7517/2019 are ***dismissed as not pressed.***

3. Learned counsel for the respondent in MFA.No.8795/2018 submits that the suit in O.S.No.4727/2018 also came to be disposed of on 16.12.2024; hence, the said appeal also would not survive for consideration any more.

4. Placing her submission on record, the MFA.No.8795/2018 is ***dismissed as having become infructuous.***

Sd/-
(PRADEEP SINGH YERUR)
JUDGE