HC-KAR

NC: 2026:KHC:59461
MFA No. 315 of 2025

CNR: KAHC010014982025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 315 OF 2025 (CPC)

BETWEEN:

SMT JAYALAKSHMAMMA
W/O LATE RANGASWAMAIAH
AGED ABOUT 80 YEARS
R/AT NO.4, 1ST MAIN, 2ND STAGE
SHOBHA NILAYA, DOMMALURU
BANGALORE - 560 071

...APPELLANT

(BY SRI. CHOKKAREDDY, ADVOCATE)

AND:

1. SMT. KEMPAMMA
   AGED ABOUT 85 YEARS
   W/O LATE K.P. RAMAIAH
   R/AT DASARA BEEDI, ORDIGERE HOBLI
   KYATHASANDRA
   TUMKUR TOWN - 572 104

2. SMT. JAYAMMA
   W/O LATE K.P. PUTTAIAH
   AGED ABOUT 83 YEARS
   R/AT DASARA BEEDI, KYATHSANDRA,
   ORDIGERE HOBLI, TUMKUR TOWN - 572 104

3. SMT. RATHNAMMA
   W/O LATE K.P. RAMACHANDRA
   AGED ABOUT 65 YEARS

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

4. SMT.KEMPAMMA
W/O LATE K.P. NARAYANA
AGED ABOUT 62 YEARS
NO.3 AND 4 ARE R/AT
NO.1, 2ND CROSS,
BANASHANKARI
BENGALURU
PIN CODE - 560 050

5. SMT. K.V. MANJULA
W/O LATE K.P. RAMAKRISHNAIAH
AGED ABOUT 57 YEARS
R/AT DEVIKRUPA
GOKUL EXTENSION
BEHIND BHARATH SCHOOL
KYATHASANDRA BADDIHALLI
TUMKUR TOWN - 572 104

6. SMT. GANGAMMA
W/O LATE K.P. RAMASWAMY
AGED ABOUT 76 YEARS
R/AT DINNEPALYA - ANCHEHALLI POST
KORATUGERE TALUK
PIN CODE - 572 129

7. SMT. SHAMALAMMA
D/O LATE POOJAIAH
W/O NARASIMHA MURTHY
AGED ABOUT 67 YEARS
R/AT NO.88, NEW NO.41/1
8TH MAIN ROAD, NEAR CAMBRIDGE SCHOOL
1ST STAGE, 1ST BLOCK
KALLAPPA BLOCK, SREE NAGARA
BANGALORE - 560 050

8. SRI. PUTTAHARIYAPPA
S/O LATE ERAPPA
H/O LATE K.P. RAMALAKSHMAMMA
@ RAMADEVI
AGED ABOUT 75 YEARS
R/AT BHUVANESHWARI NAGARA, 8TH CROSS
BANGALORE - 572 104

…RESPONDENTS

(BY SRI. LOKANATHA K., ADVOCATE FOR R1, R2, R3, R7 & R8)

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 17.12.2024 PASSED ON I.A. NO. 4 IN O.S.NO.201/2023 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND CJM, TUMAKURU, ALLOWING THE I.A. NO.4 FILED UNDER ORDER XXXIX RULE 1 AND 2 OF CPC.

THIS APPEAL, COMING ON FOR ORDERS, 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.

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:

O R D E R

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) 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) List this matter before the District Court on 30.11.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 3