HC-KAR

NC: 2026:KHC:61724
MFA No. 1354 of 2024

CNR: KAHC010136422024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 1354 OF 2024 (CPC)

BETWEEN:

1. SMT. MUNIYAMMA
   W/O LATE MARAPPA,
   D/O HANUMANTHAIAH,
   AGED ABOUT 61 YEARS,
   R/AT HONAGANAHATTI VILLAGE,
   TAVAREKERE HOBLI,
   BENGALURU SOUTH TALUK,
   BENGALURU - 562 130

2. SRI HANUMANTHARAYI
   S/O LATE MARAPPA,
   AGED ABOUT 39 YEARS,
   R/AT HONAGANAHATTI VILLAGE,
   TAVAREKERE HOBLI,
   BENGALURU SOUTH TALUK,
   BENGALURU - 562 130

3. SMT GOWRAMMA
   D/O LATE MARAPPA,
   AGED ABOUT 37 YEARS,
   R/AT HONAGANAHATTI VILLAGE,
   TAVAREKERE HOBLI,
   BENGALURU SOUTH TALUK,
   BENGALURU - 562 130

...APPELLANTS

(BY SRI. ABHINAV RAMANAND A., ADVOCATE)

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

AND:

1. SRI. BUDDARAJU
   S/O J SRINIVASAN,
   AGED ABOUT 51 YEARS,
   R/AT NO 16, RESERVOIR STREET,
   BASAVANAGUDI, BENGALURU - 560 004

2. SMT CHANNAMMA
   W/O PUTTARAMAIAH,
   D/O HANUMANTHAIAH,
   AGED ABOUT 57 YEARS,
   R/AT MEENAPURA VILLAGE,
   THAYAMAGONDALU HOBALI,
   NELEMANGALA TALUK,
   BENGALURU RURAL - 562 132

3. SRI RAJU
   S/O PUTTARAMAIAH,
   AGED ABOUT 47 YEARS,
   R/AT MEENAPURA VILLAGE,
   THAYAMAGONDALU HOBALI,
   NELEMANGALA TALUK,
   BENGALURU RURAL - 562 132

4. SMT LAKSHMAMMA
   D/O PUTTARAMAIAH,
   AGED ABOUT 45 YEARS,
   R/AT MEENAPURA VILLAGE,
   THAYAMAGONDALU HOBALI,
   NELEMANGALA TALUK,
   BENGALURU RURAL - 562 132

5. SRI BOREGOWDA
   S/O PUTTARAMAIAH,

AGED ABOUT 43 YEARS,
R/AT MEENAPURA VILLAGE,
THAYAMAGONDALU HOBALI,
NELEMANGALA TALUK,
BENGALURU RURAL - 562 132

6. SMT LAKKAMMA
D/O PUTTARAMAIAH,
AGED ABOUT 33 YEARS,
R/AT MEENAPURA VILLAGE,
THAYAMAGONDALU HOBALI,
NELEMANGALA TALUK,
BENGALURU RURAL - 562 132

7. SRI RAVI
S/O PUTTARAMAIAH,
AGED ABOUT 39 YEARS,
R/AT MEENAPURA VILLAGE,
THAYAMAGONDALU HOBALI,
NELEMANGALA TALUK,
BENGALURU RURAL - 562 132

8. SMT SHANTHA
D/O PUTTARAMAIAH,
AGED ABOUT 33 YEARS,
R/AT MEENAPURA VILLAGE,
THAYAMAGONDALU HOBALI,
NELEMANGALA TALUK,
BENGALURU RURAL - 562 132

9. SRI KRISHNA
S/O PUTTARAMAIAH,
AGED ABOUT 35 YEARS,
R/AT MEENAPURA VILLAGE,
THAYAMAGONDALU HOBALI,

NELEMANGALA TALUK,
BENGALURU RURAL - 562 132

10. SMT HANUMAKKA
W/O PUTTARAMARAIAH,
D/OHANUMANTHAIAH,
AGED ABOUT 55 YEARS,
R/AT MEENAPURA VILLAGE,
THAYAMAGONDALU HOBALI,
NELEMANGALA TALUK,
BENGALURU RURAL - 562 132

11. SMT NANGALAGOWRAMMA
W/O LATE HANMANTHAIAH,
AGED ABOUT 51 YEARS,
R/AT NO 292, 4TH CROSS PEENYA,
INDUSTRIAL TOWN, RAJANI FARM,
MAIN ROAD, RAJAGOPALANGARA,
BENGALURU - 560 058

12. SMT CHIKKAMMA
D/O LATE HANUMANTHAIAH
W/O HANUMATHARAYI
AGED ABOUT 34 YEARS
R/AT NO 292, 4TH CROSS PEENYA
INDUSTRIAL TOWN RAJAINI FARM,
MAIN ROAD RAJAGOPALANAGAR
BENGALURU - 560 058

13. SRI MUNIRAJU
S/O MARAPPA
AGED ABOUT 31 YEARS
R/AT NO 292, 4TH CROSS PEENYA INDUSTRIAL
TOWN RAJAINI FARM MAIN RAOD
RAJAGOPALANAGAR, BENGALURU - 560 058

14. SRI BHARATH
S/O MARAPPA
AGED ABOUT 29 YEARS
R/AT NO 292, 4TH CROSS PEENYA
INDUSTRIAL TOWN RAJAINI FARM
MAIN RAOD RAJAGOPALANAGAR
BENGALURU - 560 058

15. SMT H C VANI
W/O D BOOJARAJ
MAJOR
R/AT NO 16, RESERVOIR
STREET BASAVANAGUDI
BENGALURU - 560 004

16. SMT D K SARASA
W/O PUTTARAJU
MAJOR
R/AT NO 16, RESERVOIR
STREET BASAVANAGUDI
BENGALURU - 560 004

17. SRI PUTTARAJU
S/O DYAVEGOWDA
AGED ABOUT 77 YEARS
R/AT NO 1384, 10TH MAIN ROAD
RPC LAYOUT VIJAYANAGAR
BENGALURU - 560 040

18. SMT HANUMAKKA
W/O VENKATANARASAIAH
MAJOR
R/AT THAVEREKERE VILLAGE AND HOBLI,
BENGALURU SOUTH TALUK
BENGALURU - 562 132

19. SRI LINGAPPA
S/O LATE HONNAPPA
MAJOR
R/AT THAVEREKERE VILLAGE AND
HOBLI BENGALURU SOUTH TALUK
BENGALURU - 562 132

20. SRI SAMPANGIRAMMAIAH
S/O VENKATAPPA
MAJOR
R/AT THAVEREKERE VILLAGE AND
HOBLI BENGALURU SOUTH TALUK
BENGALURU - 562 132

21. SMT NARASAMMA
W/O RAMAKRISHNAIAH
MAJOR
R/AT THAVEREKERE VILLAGE AND
HOBLI BENGALURU SOUTH TALUK
BENGALURU - 562 132

22. SRI VENKATAPPA
S/O NANJAPPA
AGED ABOUT 83 YEARS
R/AT THAVEREKERE VILLAGE AND
HOBLI BENGALURU SOUTH TALUK
BENGALURU - 562 132

23. SMT SHANTHAMMA
W/O NANJEGOWDA
MAJOR
R/AT NO 74, 7TH CROSS
CHOLARAPALYA MAGADI MAIN
ROAD BENGALURU - 560 023

24. SMT P JAYANTHI
W/O J DANANJAYA
MAJOR
R/AT NO 74, 7TH CROSS

CHOLARAPALYA MAGADI MAIN
ROAD BENGALURU - 560 023

25. SRI RAVIKUMAR
S/O LATE L JANARDAN
AGED ABOUT 53 YEARS
R/AT NO 1526, 12TH CROSS
GANESHA TEMPLE ROAD
MARIYAPPANAPALYA
BENGALURU - 560 021

…RESPONDENTS

(BY SRI. B.R. VISWANATH, ADVOCATE FOR R1;

MR. N. SRIDHAR, ADVOCATE FOR R18;

SRI. B.N. GOPALAKRISHNA, ADVOCATE FOR R20;

R2 TO R10 AND R17 ARE SERVED AND UNREPRESENTED

VIDE ORDER DATED 18.03.2026, NOTICE TO R11 TO R16 , R19, R21 TO R25 IS DISPENSED WITH)

THIS MFA IS FILED U/O 43 RULE 1(r) R/W SECTION 151 OF CPC, AGAINST THE ORDER DATED 12.02.2024 PASSED ON I.A.NO.12 IN OS.NO.44/2015 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, MAGADI, REJECTING THE I.A.NO.12 FILED UNDER ORDER 39 RULE 1 AND 2 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.

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 04.12.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK, List No.: 1 Sl No.: 30