HC-KAR

NC: 2026:KHC:60688
MFA No. 1655 of 2024
C/W MFA No. 1821 of 2024

CNR: KAHC010145772024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 1655 OF 2024 (CPC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 1821 OF 2024 (CPC)

IN MFA No. 1655/2024

BETWEEN:

SMT. RATHNAMMA H.A.
AGED ABOUT 32 YEARS,
W/O SRI. S. RAMESH,
R/AT HANUMANTHAGOWDANAPALYA VILLAGE,
GUNDENAHALI DHAKLE, KALALUGHATTA POST,
THYAMAGONDLU HOBLI, NELMANGALA TALUK,
BENGALURU RURAL DISTRICT - 562 132.

...APPELLANT

(BY SRI. N. DILLI RAJAN, ADVOCATE FOR
SRI. SUBBA REDDY K.N, ADVOCATE)

AND:

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

1. SRI. K.H. GOVINDARAJ
   AGED ABOUT 73 YEARS
   S/O LATE D. HANUMANTHAIAH,
   R/AT KANNOHALLIL VILLAGE,MANNE,
   THYAMAGONDLU HOBLI,
   NELMANGALA TALUK,
   BENGALURU RURAL DISTRICT - 562 132.

2. SRI. M.D. GANGARAJU
   AGED ABOUT 56 YEARS,
   S/O LATE BYTAMMA

3. SMT. NIRMALA

AGED ABOUT 28 YEARS,
D/O M.D. GANGARAJU,

4. KUMARI. MANASA M.G,
AGED ABOUT 26 YEARS,
D/O M.D GANGARAJU,

RESPONDENY NO.2 TO 4 ARE
R/AT MANNE VILLAGE
THYAMAGONDLU HOBLI,
NELMANGALA TALUK,
BENGALURU RURAL DISTRICT - 562 132.

…RESPONDENTS

(BY SRI. K.P. BHUVAN, ADVOCATE FOR R1;
VIDE ORDER DATED 30.06.2026, NOTICE TO PROPOSED R5 IS HELD SUFFICIENT)

THIS MFA IS FILED UNDER ORDER XLIII RULE 1(r) OF CPC, AGAINST THE ORDER DATED 02.02.2024 PASSED ON I.A. NO.1 IN O.S.NO. 782/2022 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND J.M.F.C., NELAMANGALA, ALLOWING THE I.A. NO.1 FILED UNDER ORDER 39 RULE 1 AND 2 READ WITH SECTION 151 OF CPC.

IN MFA NO. 1821/2024

BETWEEN:

SMT. RATHNAMMA H.A.
AGED ABOUT 32 YEARS,
W/O SRI. S. RAMESH,
R/AT HANUMANTHAGOWDANAPALYA
VILLAGE, GUNDENAHALI DHAKLE,
KALALUGHATTA POST,
THYAMAGONDLU HOBLI,
NELMANGALA TALUK,
BENGALURU RURAL DISTRICT - 562 132.

...APPELLANT

(BY SRI. N. DILLI RAJAN, ADVOCATE FOR
SRI. SUBBA REDDY K.N, ADVOCATE)

AND:

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   AGED ABOUT 73 YEARS
   S/O LATE D. HANUMANTHAIAH,
   R/AT KANNOHALLIL VILLAGE,MANNE,
   THYAMAGONDLU HOBLI,
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   BENGALURU RURAL DISTRICT - 562 132.

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   RESPONDENY NO.2 TO 4 ARE
   R/AT MANNE VILLAGE
   THYAMAGONDLU HOBLI,
   NELMANGALA TALUK,

   BENGALURU RURAL DISTRICT - 562 132.

...RESPONDENTS

(BY SRI. K.P. BHUVAN, ADVOCATE FOR R1;
VIDE ORDER DATED 30.06.2026, NOTICE TO
PROPOSED R5 IS HELD SUFFICIENT)

THIS MFA IS FILED U/O XLIII RULE 1(r) OF THE CPC, AGAINST THE ORDER DT.02.02.2024 PASSED ON IA NO.2 IN O.S.NO.782/2022 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, NELAMANGALA, ALLOWING IA NO.2 FILED U/O.39 RULE 1 AND 2 R/W SEC.151 OF CPC.

THESE APPEALSS COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL JUDGMENT

These appeals 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 these matters to the concerned District Court for adjudication of the matters from the stage where it is stopped.

3. Accordingly, I pass the following:

O R D E R

i) These appeals stand ***disposed of*** for statistical purposes;

ii) Registry is directed to transfer the entire record of these cases, 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 these cases and all rights and contentions of the parties are left open to be agitated before the concerned Appellate Court;

v) Since the parties are represented before this Court, they shall appear before the learned

District Judge on **30.11.2026** without awaiting any further notice.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

CPN
List No.: 1 Sl No.: 18