HC-KAR

CNR: KAHC010255762025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 2826 OF 2025 (CPC)

BETWEEN:

SRI NAGARAJU N V
S/O LATE PUTTAGOWRAMMA
AGED ABOUT 64 YEARS
R/AT CHOWDI BEGUR
MARASANDRA POST
KUDUR HOBLI
MAGADI TALUK
RAMNAGARA DISTRICT
KARNATAKA - 562 120

...APPELLANT

(BY SRI. RAJATH H V.,ADVOCATE)

AND:

1. SMT. NAGARATHNMMA,
D/O. LATE SHIVANNA,
W/O. SRI. MANJUNATH,
AGED ABOUT 62 YEARS,
RESIDING AT DEVARAPATTANA,
SIDDGANGAMATH POST,
URDIGERE HOBLI,
TUMKUR TALUK AND DISTRICT,
KARNATAKA - 572 140

2. SRI. PALAKSHAIAH,
S/O. LATE SHIVANNA,
RESIDING AT B-5/404,

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

AGED ABOUT 58 YEARS,
JANAKI, SAFAL COMPLEX,
COSMOPOLITAN CHS,
SECTOR 19, NERUL EAST,
NAVI MUMBAI, TANE,
MAHARASHTRA - 400 706

3. SMT. PUSHPAVATHI,
D/O. LATE P. SHIVANNA,
W/O. ISHWARAIAH B.N.,
AGED ABOUT 56 YEARS,
RESIDING AT NO. 202, 9TH CROSS,
4TH MAIN ROAD, BEML LAYOUT,
BASAVESHWAR NAGAR,
BENGALURU NORTH,
KARNATAKA - 560 079

4. SRI. MAHADEVAIAH,
S/O. LATE P. SHIVANNA,
AGED ABOUT 54 YEARS,
RESIDING AT JANANI JANMA BHOOMI,
5TH CROSS, GARIKE ROAD,
GOKULA BADAVANE, TUMKUR,
KARNATAKA - 572 103

5. SRI. LOKESH,
S/O. LATE P. SHIVANNA,
AGED ABOUT 50 YEARS,
RESIDING AT NO. 768,
MATRUKRUPA, 9TH MAIN,
3RD STAGE, 3RD BLOCK,
BASAVESHWAR NAGAR,
BENGALURU NORTH,
KARNATAKA - 560 079

6. SRI. K. V. RUDRAMURTHY
S/O. LATE P. VEERAPPA,
AGED ABOUT 55 YEARS,
RESIDING AT NO.98,
SHIVANAPUR ROAD,
DASANAPUR HOBLI,
NELAMANGALA TALUK,
BENGALURU RURAL DISTRICT
KARNATAKA - 562 162

7. SRI SHIVAMURTHY,
S/O. LATE P. VEERAPPA,
AGED ABOUT 50 YEARS,
RESIDING AT EMACHENAHALLI VILLAGE.
NARASIPURA POST, SOMPURA HOBLI,
NELAMANGALA TALUK,
BENGALURU RURAL DISTRICT,
KARNATAKA - 562 123

8. SRI SHIVARAJ B.G.
HUSBAND OF SMT. RUDRAMMA,
AGED ABOUT 72 YEARS

9. SRI. VINAY KUMAR
S/O. LATE RUDRAMMA,
AGED ABOUT 33 YEARS

RESPONDENTS NO.8 AND 9 ARE
R/AT NO.41, 1ST MAIN
MUNESHWARA BADAVANE
BEGNALURU NORTH TALUK
KARNATAKA - 560 086

10. SMT. SURYAKALA,
D/O. LATE RUDRAMMA,
W/O. VEERABHADRAIAH,
AGED ABOUT 38 YEARS,
RESIDING AT TATTEKERE,
NIDAVANDA POST,
SOMPURA HOBLI,
NELAMANGALA TALUK,
BENGALURU RURAL DISTRICT,
KARNATAKA - 562 132

11. SMT. PUSHPA
D/O. LATE P. VEERAPPA,
W/O. RENUKAARADHYA,
AGED MAJOR,
RESIDING AT NEAR ANJENYA TEMPLE,
ANJANAPURA.
BANGALORE NORTH TALUK,
KARNATAKA - 560 108

12. SMT. SOWBHAGYAMMA
D/O. LATE VEERAPPA,
W/O. LATE CHITRASHEKAR,
AGED ABOUT 48 YEARS,
RESIDING AT BARAGENAHALLI,
SOMPURA HOBLI,
NELAMANGALA TALUK,
BENGALURU RURAL DISTRICT,
KARNATAKA - 562 132

13. SMT. SOUBHAGYAMMA
W/O. LATE MALLESHAIAH,
DAUGHTER-IN-LAW OF LATE P. BASAVARAJU,
AGED ABOUT 52 YEARS

14. KUM. CHITRASHRI
D/O. LATE MALLESHAIAH,
AGED ABOUT 20 YEARS

RESPONDENTS NO.13 AND 14 ARE
RESIDING AT CHELUR VILLAGE AND HOBLI,
GUBBI TALUK, TUMKUR DISTRICT,
KARNATAKA - 572 117

15. SMT. MANGALAGOURAMMA
W/O. VEERAIAH G.
D/O LATE P. BASAVARAJU,
AGED ABOUT 52 YEARS,
RESIDING AT NO.371,
M.E.I LAYOUT, BANGALKUNTE,
NAGASANDRA POST, KAREKALLU,
BENGALURU NORTH,
KARNATAKA - 560 073

16. SRI. SHADAKSHARAIAH
S/O LATE P. BASAVARAJU,
AGED ABOUT 48 YEARS,
RESIDING AT EMACHENAHALLI VILLAGE.
NARASIPURA POST, SOMPURA HOBLI,
NELAMANGALA TALUK,
BENGALURU RURAL DISTRICT,
KARNATAKA - 562 123

17. SMT. VEERAMMA,
W/O. LATE CHANNAPPA,
D/O. LATE E.M. PUTTARUDRAYYA,
AGED ABOUT 72 YEARS,
RESIDING AT CHIKKAHALLI,
URDIGERE HOBLI,

TUMKUR TALUK & DISTRICT,
KARNATAKA - 572 141

18. SRI. SANTHOSH. M,
S/O. MUNILINGAIAH,
AGED ABOUT 36 YEARS,
RESIDING AT NO.155/166,
NEAR NIDAVANDA RAILWAY STATION,
SOMPURA INDUSTRIAL AREA,
NIDAVANDA, SOMPURA HOBLI,
NELAMANGALA TALUK,
BENGALURU RURAL DISTRICT,
KARNATAKA - 562 111

19. SRI. H. S. RUDRAARADHYA
S/O. LATE SHEKHARAPPA,
AGED ABOUT 55 YEARS,
RESIDING AT HENGGUUNDA VILLAGE,
SOMPURA HOBLI, NELAMANGALA TALUK,
BENGALURU RURAL DISTRICT,
KARNATAKA - 562 111

20. SRI. SUNIL KUMAR B.S.,
S/O. S.T. PRASAD,
AGED ABOUT 39 YEARS,
RESIDING AT NO.200,
6TH MAIN, 5TH CROSS,
1ST STAGE, MAHAGANAPATI NAGAR,
RAJAJINAGAR, BENGALURU,
KARNATAKA - 560 010

21. SRI. DEVARAJU,
S/O. BETTAPPA,
AGED ABOUT 44 YEARS,
RESIDING AT PEMMANAHALLI VILLAGE,

BILLANAKOTE POST, SOMPURA HOBLI,
NELAMANGALA TALUK,
BENGALURU RURAL DISTRICT,
KARNATAKA - 562 111

22. SRI. BYRESH,
S/O. JAVARAYYA,
AGED ABOUT 40 YEARS,
RESIDING AT BEERAGONDANAHALLI,
THYAMAGONDLU HOBLI,
NELAMANGALA TALUK,
BENGALURU RURAL DISTRICT,
KARNATAKA - 562 132

…RESPONDENTS

(BY SRI. C.R. VENKATESH, ADVOCATE FOR C/R21 AND C/R22)

THIS MFA IS FILED U/O.43 RULE 1(r) OF THE CPC, AGAINST THE ORDER DT. 04.03.2025 PASSED ON IA NO. III IN O.S.NO.930/2024 ON THE FILE OF THE I ADDITIONAL SENIOR CIVIL JUDGE, NELAMANGALA, REJECTING THE IA.NO.III FILED U/O. 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.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 30