HC-KAR

NC: 2026:KHC:61193
MFA No. 3404 of 2023

CNR: KAHC010256122023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 3404 OF 2023 (CPC)

BETWEEN:

1. SMT PUTTANARASAMMA
   W/O LATE SRI NARASIMHAIAH,
   AGED ABOUT 80 YEARS,

2. SRI NARASIMHA MURTHY
   S/O LATE SRI NARASIMHAIAH,
   AGED ABOUT 69 YEARS,

3. SRI NAGARAJU
   S/O LATE SRI NARASIMHAIAH,
   AGED ABOUT 50 YEARS,

4. SMT CHIKKANARASAMMA
   W/O SRI NAGESH
   AGED ABOUT 45 YEARS,

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

ALLL ARE R/AT ALAMMANAPALYA HAMLET
AJJANAHALLI, TAVARKERE HOBLI,
BANGALORE SOUTH TALUK,

ALL THE APPELLANTS ARE REP BY THEIR GPA
HOLDER, SRI KRISHNA
S/O SRI NARASIMHA MURTHY, APPELLANT 2 HEREIN

...APPELLANTS

(BY SRI. VENKANNA EKAMBE, ADVOCATE)

AND:

1. SRI NARASIMHA MURTHY
   S/O LATE SRI HUCHARANGAIAH,
   AGED ABOUT 45 YEARS,
   R/AT ALAMMANAPALYA,
   HAMLET OF AJJANAHALLI,
   TAVARKERE HOBLI,
   BANGALORE SOUTH TALUK
2. SMT SIDDABYRAMMA @ THIMMAKKA
   W/O LATE SRI CHIKKANARASIMHAIAH,
   AGED ABOUT 54 YEARS,
3. KRISHNAMURTHY
   S/O LATE SRI CHIKKANARASIMHAIAH,
   AGED ABOUT 30 YEARS,
   RESPONDENTS NO.2 AND 3 ARE
   R/AT C/O DODDEGOWDA,
   AVALGUPPE POST, KASABA HOBLI,
   NELAMANGALA TALUK,
   BANGALORE RURAL DISTRICT
4. CHIKKANARASIMHAIAH @ RAJU
   S/O LATE SRI GANGANARASAIAH
   AGED ABOUT 57 YEARS,
   R/AT ALAMMANAPALYA,
   HAMLET OF AJJANAHALLI,
   TAVARKERE HOBLI,
   BANGALORE SOUTH TALUK
5. SMT SRIDEVI
   W/O SRI N MANJUNATH,
   AGED ABOUT 38 YEARS,
   R/AT NO 11, ATTIGUPPE,
   2ND MAIN ROAD,
   VIJAYANAGAR 2ND STAGE,
   BANGALORE - 560 040

6. SRI KRISHNAMURTHY A G
S/O LATE SRI GANGANARASIMHAIAH,
AGED ABOUT 45 YEARS,
R/O AT HOUSE NO 6, ALAMMANAPALYA VILLAGE,
CHUNCHANKUPPE POST, TAVARKERE HOBLI,
BANGALORE SOUTH TALUK
7. SRI NARASIMHAMURTHY
S/O LATE SRI LAKSHMINARASAIAH,
AGED ABOUT 49 YEARS,
R/AT ALAMMANAPALYA,
HAMLET OF AJJANAHALLI,
TAVARKERE HOBLI,
BANGALORE SOUTH TALUK

…RESPONDENTS

(BY SRI. H.S. SUHAS, ADVOCATE FOR R4, R6 AND R7)

THIS MFA IS FILED U/O 43 RULE 1(r) R/W SECTION 151 OF CPC, AGAINST THE ORDER DATED 15.03.2023 PASSED ON I.A.NO.1 AND 5 IN OS.NO. 111/2021 ON THE FILE OF THE PRL.CIVIL JUDGE AND JMFC, MAGADI, DISMISSING THE I.A.NOS. 1 AND 5 FILED UNDER ORDER 39 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 03.12.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 8