HC-KAR

NC: 2026:KHC:59462
MFA No. 3392 of 2025

CNR: KAHC010304212025

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. 3392 OF 2025 (CPC)

BETWEEN:

1. SRI. T. V. VENKATESH
   S/O. MR. LATE THALLAM VISHWANATHIAH,
   AGED ABOUT 67 YEARS,
   RESIDING AT SKPT ROAD,
   Y. N. HOSAKOTE TOWN AND HOBLI,
   PAVADAGA TALUK,
   TUMKUR DISTRICT - 572 141

...APPELLANT

(BY SRI. VARUN JOSHI.,ADVOCATE)

AND:

1. THE TAHSILDAR,
   PAVAGADA TALUK PAVAGADA,
   TUMKUR DISTRICT - 561 202

2. THE VILLAGE ACCOUNTANT
   Y. N. HOSAKOTE CIRCLE,
   Y. N. HOSAKOTE HOBLI, PAVAGADA TALUK,
   TUMKUR DISTRICT - 572 141

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

3. THE REVENUE INSPECTOR
Y. N. HOSAKOTE HOBLI,
PAVAGADA TALUK,
TUMKUR DISTRICT - 572 141

4. THE ASSISTANT COMMISSIONER
MADHUGIRI SUB-DIVISION, MADHUGIRI,
TUMKUR DISTRICT - 572 132

5. THE DEPUTY COMMISSIONER
TUMKUR DISTRICT 572 101

6. THE ASSISTANT DIRECTOR OF LAND RECORDS
(ADLR)
PAVAGADA TALUK,
TUMKUR DISTRICT 561 202

7. THE PANCHAYATH DEVELOPMENT OFFICER
Y. N. HOSAKOTE GRAMA PANCHAYATHI,
Y. N. HOSAKOTE HOBLI, PAVAGADA TALUK,
TUMKUR DISTRICT 572 161

8. THE EXECUTIVE OFFICER
TALUK PANCHAYATHI SAMITHI,
PAVAGADA TALUK,
TUMKUR DISTRICT - 561 202

9. THE CHIEF EXECUTIVE OFFICER
ZILLA PANCHAYATHI,
KASABA HOBLI, PAVAGADA TALUK,
TUMKUR DISTRICT - 561 202.

10. DEPARTMENT OF LAND REVENUE AND SURVEY
GOVERNMENT OF KARNATAKA M. S. BUILDING,

DR. B. R. AMBEDKAR VEEDHI,
BENGALURU - 560 001.
REPRESENTED BY ITS SECRETARY

11. THE UNDER SECRETARY
PANCHAYATH RAJ AND RURAL DEVELOPMENT
DEPARTMENT, M. S. BUILDING,
BENGALURU - 560 001

12. THE PRINCIPAL SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT
ROOM NO. 627, 6TH FLOOR,
GATE 1, M. S. BUILDING,
DR. B. R. AMBEDKAR VEEDHI,
BENGALURU - 560 001

…RESPONDENTS

(BY SRI.CHETAN DESAI., ADVOCATE FOR R7 AND R8)

(BY SRI.SANJAY YADAV, AGA FOR R1, R2, R4, R5, R10 TO R12)

(R9 IS SERVED AND UNREPRESENTED)

THIS MFA IS FILED U/O.43 RULE 1(r) OF THE CPC, AGAINST THE ORDER DT. 11.04.2025 PASSED ON IA NO.2 IN O.S.NO. 25/2025 ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC, PAVAGADA, PRAYING TO ALLOW IA NO. FILED U/O.39 RULE 1 AND 2 R/W SEC.151 OF CPC, 1908.

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) Learned counsel for appellants and learned counsel for the respondents are present. Hence, the parties shall appear before the learned District Judge on 30.11.2026 without awaiting further notice.

vi) As an interim order is granted by this Court, the same shall continue till disposal of the application before the District Court. No opinion is expressed by this Court.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

RCK
List No.: 1 Sl No.: 4