HC-KAR

NC: 2026:KHC:65182
MFA No. 5290 of 2022

CNR: KAHC010336362022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 5290 OF 2022 (CPC)

BETWEEN:

1. RAJASEKHAR ANDANURU @ R.B. ANDANUR
S/O LATE ANDANURU BASAPPA,
AGED ABOUT 54 YEARS,
OCC: MERCHANT,
R/O 2ND MAIN, AKKAMAHADEVI ROAD,
P.J. EXTENSION, DAVANAGERE - 577 002.

2. ANDANURU MALLINATH
S/O LATE ANDANURU BASAPPA,
AGED ABOUT 52 YEARS,
OCC: MERCHANT,
R/O 2ND MAIN, AKKAMAHADEVI ROAD,
P.J. EXTENSION, DAVANAGERE - 577 002.

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

3. SMT. GEETHA GANGADHARA
W/O GANGADHARA,
AGED ABOUT 50 YEARS,
R/O 2ND MAIN, 7TH CROSS,
M.C.C 'B' BLOCK,
NEAR SWIMMING POOL,
DAVANAGERE - 577 004.

...APPELLANTS

(BY SRI. JAGADEESH GOUD PATIL, ADVOCATE)

AND:

1. A MOHAN
   S/O ANDANURU BASAPPA,
   AGE 56 YEARS,
   R/O AKKAMAHADEVI ROAD,
   2ND MAIN, P.J. EXTENSION,
   DAVANAGERE - 577 002.

2. ANDANURU KOTRABASAPPA
   S/O LATE ANDANURU BASAPPA,
   AGED ABOUT 69 YEARS,
   R/O P.J. EXTENSION,
   DAVANAGERE - 577 002.

3. SMT. RUKMINI
   W/O LATE MALLASHETTEPPA ANDANURU
   @ M.B. ANDANURU,
   AGED ABOUT 54 YEARS,
   OCC: COFFEE PLANTER,
   RAYAL KOPPA MAGGE ESTATE,
   POST: MAGGE, ALURU TALUK,
   HASSAN DISTRICT - 573 213.

4. CHANNABASAPPA ANDANURU
   @ C.B. ANDANURU
   S/O LATE ANDANURU BASAPPA,
   AGED ABOUT 62 YEARS,
   OCC: MARCHANT,
   2ND MAIN, AKKAMAMHADEVI ROAD,
   P.J. EXTENSION, DAVANAGERE - 577 002.

5. ANDANURU DAYANAND
   S/O LATE ANDANURU BASAPPA,

6. SMT. SHAKUNTHALA
W/O LATE YEMMI BASAVARAJAPPA @ JAYANNA,
AGED ABOUT 56 YEARS,
R/O 6TH CROSS, SI RR
R/O DAVANAGERE - 577 002.

7. A. KOTRABASAPPA
S/O LATE BASAPPA,
AGED ABOUT 69 YEARS,

8. A. CHANNABASAPPA
S/O LATE ANDANURU BASAPPA,
AGED ABOUT 62 YEARS,

RESPONDENT 7 - 8 ARE
R/O NO.20, 2ND MAIN,
AKKAMAHADEVI ROAD,
P.J. EXTENSION,
DAVANAGERE - 577 002.

9. SMT. A. RUDRAMMA
W/O LATE A. DAYANAND,
AGED ABOUT 46 YEARS,

10. A.D. SANDEEP
S/O LATE A. DAYANANDA,
AGED ABOUT 22 YEARS,

11. A.D. BEENA
S/O LATE A. DAYANANDA,
AGED ABOUT 20 YEARS,

RESPONDENT NO.9-11, R/O NO.20,
2ND MAIN, AKKAMAHADEVI ROAD,
P.J. EXTENSION, DAVANAGERE - 577 002.

12. RAJASHEKHAR A
S/O LATE ANDANURU BASAPPA,
AGED ABOUT 54 YEARS,

13. A. MALLINATH
S/O LATE ANDANURU BASAPPA,
AGED ABOUT 52 YEARS,

RESPONDENT NO. 12 AND 13
R/O 2ND MAIN, AKKAMAHADEVI ROAD,
P.J. EXTENSION, DAVANAGERE - 577 002.

14. SMT. RUKMINI
W/O LATE A. MALLASHETTAPPA,
AGED ABOUT 54 YEARS,

15. SUSHEETHA
W/O LATE A. MALLASHETTAPPA,
AGED ABOUT 27 YEARS,

RESPONDENT NO.14 AND 15
R/O ROYAL KOPPA,
RAYAL KOPPA, MAGGE ESTATE,
POST MAGGE, ALURU TALUK,
HASSAN DISTRICT - 573 213.

…RESPONDENTS

(BY SRI. NISHANTH A.V, ADVOCATE FOR C/R15)

THIS MFA IS FILED UNDER ORDER 42 RULE 1(j) OF CPC, AGAINST THE ORDER DATED 23.11.2021 PASSED ON I.A.NO.12 IN FDP.NO.02/2008 ON THE FILE OF THE 1ST ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, DAVANAGERE,

ALLOWING THE I.A.NO.12 FILED UNDER SECTION 2 R/W 8 OF THE PARTITION ACT 1893.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL JUDGMENT

There is no representation on behalf of appellants. Learned counsel for respondents is present.

2. As per the internet order sheet copy of the FDP No.2 of 2008, the matter has been disposed of as uncontested on 30.06.2023. Therefore, the present appeal would not survive for consideration.

3. Accordingly, the appeal is dismissed as having become infructuous.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

NMS/List No.: 1 Sl No.: 3