HC-KAR

NC: 2026:KHC:60146
MFA No. 5653 of 2025

CNR: KAHC010501482025

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 29TH DAY OF OCTOBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR**

**MISCELLANEOUS FIRST APPEAL NO. 5653 OF 2025 (CPC)**

**BETWEEN:**

1. SMT LAKSHMAMMA
   D/O M SRINIVASAIAH,
   W/O NAGARAJU,
   AGED ABOUT 70 YEARS

2. SRI I S SAMPATH KUMAR
   S/O NAGARAJU,
   AGED ABOUT 50 YEARS

3. SRI H S MANJUNATH
   S/O NAGARAJU,
   AGED ABOUT 48 YEARS

4. SRI MAHADEVAMMA
   D/O M SRINIVASAIAH,
   AGED ABOUT 73 YEARS

5. SRI K R SHIVAKUMAR
   S/O MAHADEVAMMA,
   AGED ABOUT 46 YEARS

6. SRI K R LAKSHMAN KUMAR
   S/O MAHADEVAMMA,
   AGED ABOUT 44 YEARS

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

7. SRI CHINNAPPA C
S/O LATE CHIKKAMUNIYAPPA
AGED ABOUT 66 YEARS

APPELLANTS NO.1 TO 7 ALL ARE
R/AT HARAGADDE VILLAGE, JIGANI HOBLI,
ANEKAL TALUK - 560 195
BENGALURU URBAN DISTRICT.

…APPELLANTS

(BY SRI. SATHISHA D.J., ADVOCATE)

**AND:**

1. SRI. SURESH BABU
S/O. LATE MUNIYAPPA,
AGED ABOUT 61 YEARS,
R/A HARAGADDE VILLAGE
JIGANI HOBLI, ANEKAL TALUK,
BENGALURU URBAN DISTRICT - 560 195

2. TEJA
D/O LATE MUNIYAPPA,
AGED ABOUT 47 YEARS
R/AT HARAGADDE VILLAGE
JIGANI HOBLI, ANEKAL TALUK,
BENGALURU URBAN DISTRICT - 560 195

3. SMT. BHAGYAMMA
D/O LATE MUNIYAPPA,
AGED ABOUT 63 YEARS,
R/AT HARAGADDE VILLAGE,
JIGANI HOBLI, ANEKAL TALUK,
BENGALURU - 560 195

4. SMT. RADHAMMA
D/O LATE MUNIYAPPA,

AGED ABOUT 59 YEARS
R/AT NO. 1/11,
SAHANA NILAYA, 5TH MAIN,
5TH BLOCK, BSK 3RD STAGE,
BENGALURU

5. BABY
D/O LATE MUNIYAPPA,
AGED ABOUT 55 YEARS
R/AT THINDLU VILLAGE,
SARJAPURA HOBLI, ANEKAL TALUK,
BENGALURU URBAN DISTRICT - 562 105

6. M MADESH
S/O LATE MUNISWAMAPPA
AGED ABOUT 74 YEARS
R/AT SEETHANAYAKANAHALLI VILLAGE,
JIGANI HOBLI, ANEKAL TALUK,
BENGALURU URBAN DISTRICT - 562 105

…RESPONDENTS

(BY SRI. S. AISHWARYA, ADVOCATE FOR R1
SRI. K.S. MANJUNATH, ADVOCATE FOR R6)

THIS MFA IS FILED U/O.43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 19.06.2025 ON IA NO.1 IN O.S.NO.183/2024 ON THE FILE OF THE PRL. SENIOR CIVIL JUDGE AND JMFC, ANEKAL, ALLOWING IA NO.1 FILED U/O.39 RULES 1 AND 2 R/W SEC.151 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.

v) List this matter before the District Court on 30.11.2026.

**Sd/-**
**(PRADEEP SINGH YERUR)**
**JUDGE**

RCK,List No.: 1 Sl No.: 36