HC-KAR

CNR: KAHC010505682022

NC: 2026:KHC:61173
MFA No. 7509 of 2022
C/W MFA No. 7536 of 2022

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. 7509 OF 2022 (CPC)
C/W
MISCELLANEOUS FIRST APPEAL NO. 7536 OF 2022 (CPC)

IN MFA No. 7509/2022

BETWEEN:

SMT. JAYAMMA
D/O. LATE CHIKKA AKKAYAMMA AND
MUNISWAMY REDDY,
AGED ABOUT 75 YEARS,
R/AT NO.32, PREM NILAYA,
8TH CROSS, 24TH MAIN,
THIRUMALA THEATRE,
AGARA 1ST SECTOR,
HSR LAYOUT,
BENGALURU - 560 102.

...APPELLANT

(BY SRI./SMT. UDITA RAMESH, ADVOCATE)

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

AND:

1. SMT. SUBBAMMA D/O. LATE CHIKKA AKKAYYAMMA AND MUNISWAMY REDDY,

   DEAD REPRESENTED BY LRS ALREADY ON RECORD I.E., RESPONDENTS NO.8 AND 9

   AMENDMENT CARRIED OUT AS PER ORDER DATED 04.07.2025

2. SRI. VENKATARAMANA REDDY
ADOPTED SON OF RAMAREDDY
@ RAMAIAH REDDY,
AGED ABOUT 73 YEARS,
R/AT VALEPURA VILLAGE, VARTHUR HOBLI,
BENGALURU EAST TALUK,
BENGALURU - 560 087.

3. SMT. GOWRAMMA
D/O. LATE CHIKKA AKKAYYAMMA AND
MUNISWAMY REDDY,
AGED ABOUT 65 YEARS,
R/AT BIKANAHALLI VILLAGE,
SARJAPURA HOBLI, ANEKAL TALUK,
BENGALURU - 562 125.

4. SMT. PAPAMMA
D/O. LATE CHIKKA AKKAYYAMMA AND
MUNISWAMY REDDY,
AGED ABOUT 62 YEARS,
R/AT MUTHSANDRA VILLAGE,
ANUGONDANAHALLI HOBLI, HOSKOTE TALUK,
BENGALURU RURAL DISTRICT,
BENGALURU - 560 087.

5. SRI. RAGHU
S/O. LATE NARAYANA REDDY,
AGED ABOUT 54 YEARS,
R/AT NO.79, 1ST CROSS,
NEAR J.V. SCHOOL, OPP MICO BOSCH SOUTH GATE,
BERETHENE AGRAHARA, ELECTRONIC CITY,
BENGALURU - 560 100.

6. SMT. NAGARATHNA
D/O. LATE NARAYANA REDDY,
AGED ABOUT 48 YEARS,
R/AT BIKASA HOSAHALLI, ANDANAHALLI,
ANEKAL TALUK, BENGALURU - 562 125.

7. SMT. YELLAMMA
D/O. LATE NAGAMMA,
AGED ABOUT 74 YEARS,
R/AT KOMASANDRA, SARJAPURA HOBLI,
BENGALURU - 562 125.

8. SRI. KRISHNAREDDY
S/O. LATE VENKATASWAMY REDDY,
AGED ABOUT 63 YEARS,
RESIDING AT VALEPURA VILLAGE,
VARTHUR HOBLI, BANGALORE EAST TALUK,
BANGALORE - 560 087.

9. SMT. AMARVATHI
D/O. LATE VENKATASWAMY REDDY,
W/O. NARAYANSWAMY,
AGED ABOUT 51 YEARS,
RESIDING AT HANDANAHALLI VILLAGE,
SARJAPURA HOBLI, ANEKAL TALUK,
BANGALORE - 562 125.

…RESPONDENTS

(BY SRI. N. DEVARAJ, ADVOCATE FOR R2
SRI. H.N. BASAVARAJ, ADVOCATE FOR R5 TO R7
SRI. ABHINAV R., ADVOCATE FOR C/R8
VIDE ORDER DATED 04.07.2025,
R8 AND R9 ARE LRS OF DECEASED R1
R4 AND R9 ARE SERVED AND UNREPRESENTED)

THIS MFA IS FILED U/O.43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 17.10.2022 PASSED ON IA NO.2 IN O.S.NO.802/2021 ON THE FILE OF THE IV ADDITIONAL SENIOR CIVIL JUDGE, BENGALURU RURAL DISTRICT, BENGALURU, REJECTING IA NO.2 FILED U/O.39 RULES1 AND 2 OF CPC.

IN MFA NO. 7536/2022

BETWEEN:

SMT. JAYAMMA
D/O. LATE CHIKKA AKKAYAMMA AND
MUNISWAMY REDDY,
AGED ABOUT 75 YEARS,
R/AT NO.32, PREM NILAYA,
8TH CROSS, 24TH MAIN,
THIRUMALA THEATRE,
AGARA 1ST SECTOR,
HSR LAYOUT, BENGALURU - 560 102.

...APPELLANT

(BY SRI./SMT. UDITA RAMESH, ADVOCATE)

AND:

1. SMT. SUBBAMMA D/O. LATE CHIKKA AKKAYYAMMA AND MUNISWAMY REDDY,

   SINCE DEAD REPRESENTED BY LRS ALREADY ON RECORD AS RESPONDENTS NO.8 AND 9

2. SRI. VENKATARAMANA REDDY
   ADOPTED SON OF RAMAREDDY @ RAMAIAH REDDY,
   AGED ABOUT 73 YEARS,
   R/AT VALEPURA VILLAGE,

VARTHUR HOBLI, BENGALURU EAST TALUK,
BENGALURU - 560 087.

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D/O. LATE CHIKKA AKKAYYAMMA AND
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SARJAPURA HOBLI, ANEKAL TALUK,
BENGALURU - 562 125.

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D/O. LATE CHIKKA AKKAYYAMMA AND
MUNISWAMY REDDY,
AGED ABOUT 62 YEARS,
R/AT MUTHSANDRA VILLAGE,
ANUGONDANAHALLI HOBLI,
HOSKOTE TALUK,
BENGALURU RURAL DISTRICT,
BENGALURU - 560 087.

5. SRI. RAGHU
S/O. LATE NARAYANA REDDY,
AGED ABOUT 54 YEARS,
R/AT NO. 79, 1ST CROSS,
NEAR J.V. SCHOOL,
OPP: MICO BOSCH SOUTH GAGE,
BERETHENE AGRAHARA,
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AGED ABOUT 51 YEARS,
RESIDING AT HANDANAHALLI VILLAGE,
SARJAPURA HOBLI, ANEKAL TALUK,
BANGALORE - 562 125.

...RESPONDENTS

(BY SRI. N. DEVARAJ, ADVOCATE FOR R2
SRI. H.N. BASAVARAJ, ADVOCATE FOR R5 TO R7
SRI. ABHINAV R., ADVOCATE FOR C/R8
VIDE ORDER DATED 04.07.2025,
R8 AND R9 ARE LRS OF DECEASED R1
R4 AND R9 ARE SERVED AND UNREPRESENTED)

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 17.10.2022 PASSED ON I.A.NO.1 IN O.S.NO. 802/2021 ON THE FILE OF THE IV ADDITIONAL SENIOR CIVIL JUDGE, BENGALURU RURAL DISTRICT, BENGALURU, REJECTING I.A. NO.1 FILED UNDER ORDER XXXIX RULES 1 AND 2 OF CPC.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL JUDGMENT

These appeals filed before this Court are 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 these matters to the concerned District Court for adjudication of the matters from the stage where it is stopped.

3. Accordingly, I pass the following:

O R D E R

i) Appeals stands **disposed of** for statistical purposes.

ii) Registry is directed to transfer the entire record of the cases, 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 these 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 these matters before the District Court on 03.12.2026.

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.: 5