HC-KAR

NC: 2026:KHC:54994
MFA No. 195 of 2020

CNR: KAHC010538902019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 195 OF 2020 (CPC)

BETWEEN:

SRI DODDA MAHADEVU @ MAHADEVU
S/O LATE BANANAHALLI SHANNEGOWDA
@ SANNAIAH,
AGED 56 YEARS
R/AT SIDDALINGAPURA VILLAGE
KASABA HOBLI, MYSURU TALUK,
MYSURU DISTRICT - 570 002.

...APPELLANT

(BY SRI. ABHINAY Y.T.,ADVOCATE)

AND:

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

SMT NINGAMMA,
DEAD BY LEGAL HEIRS
REP BY

SMT. DEVAMMA
D/O NINGAMMA
SINCE DECEASED REP. BY
LEGAL HEIRS

1.
MANJU
S/O NINGARAJU
AGED ABOUT 22 YEARS

2. KUM. PALLAVI
D/O NINGARAJU
AGED ABOUT 20 YEARS

3. SMT. BHARATHI
W/O KUMAR
AGED ABOUT 32 YEARS
R/AT K.R. MILL COLONY, RBI POST,
MYSURU TALUK AND DISTRICT.

4. CHENNEGOWDA
S/O LATE MARIGOWDA
AGED ABOUT 29 YEAWRS

5. SRI. KUMARA
S/O LATE MARIGOWDA
AGED ABOUT 27 YEARS

6. SMT. BHAGYA
W/O JAVAREGOWDA
AGED ABOUT 50 YEARS

RESPONDENTS NO.1,2,4,5 AND 6 ARE RESIDING AT
ESWARA TEMLPLE ROAD,
SIDDALINGAPURA VILLAGE
KASABA HOBLI, MYSURU TALUK,
AND DISTRICT - 570 021.

…RESPONDENTS

(BY SRI. GANESH G.G., ADVOCATE FOR R1 AND R3 TO R5
R6 IS SERVED AND UNREPRESENTED)

THIS MFA IS FILED U/O. 43 RULE 1(d) OF CPC, AGAINST THE ORDER DATED 12.11.2019 PASSED IN MIS.NO.9/2017

ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE AND CJM, MYSURU, DISMISSING THE PETITION FILED UNDER ORDER IX RULE 13 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 02.11.2026.

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.: 6