HC-KAR

NC: 2026:KHC:60000
MFA No. 7666 of 2025

CNR: KAHC010671072025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 7666 OF 2025 (CPC)

BETWEEN:

1. SRI N. NAGARAJ
   AGED ABOUT 57 YEARS
   S/O. LAKSHMAN
   R/O. CHINNAVAJRA VILLAGE
   KASABA HOBLI
   MADHUGIRI - 572 132.

2. SMT. RADHA T.G.
   W/O. NAGARAJU
   AGED ABOUT 47 YEARS.

3. KUM. KUSUMA C.N.
   D/O. NAGARAJU
   AGED ABOUT 24 YEARS.

4. MASTER CHANDAN GOWDA C.N.
   S/O. NAGARAJU
   AGED ABOUT 21 YEARS.

   APPELLANTS NO.2 TO 4 ARE
   RESIDING AT NO. 1145, 2ND CROSS
   I BLOCK, I STAGE, NAGARABHAVI
   BENGALURU - 560 072.

...APPELLANTS

(BY SRI B.H. SATISH, ADVOCATE)

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

AND:

1. SRI C.H. RAMAIAH
   AGED ABOUT 67 YEARS
   S/O. C. L. HANUMAIAH

R/O. CHINNAVAJRA VILLAGE
KASABA HOBLI
MADHUGIRI - 572 132.

2. SMT. CHENNAMMA
W/O. LATE CHANDRASHEKAR
AGED ABOUT 53 YEARS
R/AT SIDDAPURA VILLAGE
KASABA HOBLI, MADHUGIRI TALUK
TUMKUR DIST. - 572 132.

…RESPONDENTS

(BY SRI KANTHARAJAPPA M.G., ADVOCATE FOR R1;
SRI BENUSHA X., ADVOCATE FOR R2)

THIS MFA IS FILED UNDER ORDER XLIII RULE 1(R) OF CPC, PRAYING TO SET ASIDE THE ORDER DATED 08.09.2025 PASSED ON I.A.NO.I IN O.S.NO.517/2024 BY THE PRINCIPAL SENIOR CIVIL JUDGE AND JMFC, MADHUGIRI.

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) Since the parties are represented before this Court, they shall appear before the learned District Judge on **30.11.2026** without awaiting any further notice.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

CPN
List No.: 1 Sl No.: 38