HC-KAR

NC: 2026:KHC:60206
MSA No. 270 of 2026

CNR: KAHC010718232026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

MISCELLANEOUS SECOND APPEAL NO. 270 OF 2026

BETWEEN:

1. SRI. VARDHAMANA DURGAPRASAD SHETTY
   S/O LATE K.P. SHETTY
   AGED ABOUT 51 YEARS,
   GADIKARARU, GOLIDHADI GUTHU,
   K.P. SHETTY ROAD, GURUPUR - 574145,
   MANGALURU TALUK, D.K.

2. SRI. K. DAMODHAR SHETTY
   S/O LATE BABU SHETTY,
   AGED ABOUT 56 YEARS,
   R/AT KALLAKALEMBI HOUSE,
   DONINJE GUTTU - 574145,
   MANGALURU TALUK, D.K.

...APPELLANTS

Digitally signed by PREMCHANDRA M R
Location: HIGH COURT OF KARNATAKA

(BY SMT. ANJALI SURESH, ADVOCATE FOR
SRI. VINOD KUMAR M., ADVOCATE)

AND:

1. MR. SADHASHIVAYYA (SINCE DEAD)
   REPRESENTED BY HIS LEGAL REPRESENTATIVES

2. MR. M.S.KIRAN KUMAR
   S/O. SADHASHIVAYYA
   AGED ABOUT 39 YEARS,
   R/AT MATADAKERE HOUSE,
   BELUVAI POST - 574213,
   MANGALURU TALUK, D.K.

3. MR. SATHISH KUMAR
S/O LATE CHANDRASHEKARAYYA,
AGED ABOUT 60 YEARS,
HOUSE NO.20, SRINIVASA NILAYA,
3RD MAIN, 1ST CROSS, KG HALLI,
JALAHALLI, BENGALURU.

4. MR. SHIVANANDAYYA
S/O LATE ADUVAPPA SHETTY @ BABAYYA,
AGED ABOUT 69 YEARS,
CHAMANI ROAD, GURUPUR P.O. - 574145.

5. MR. K. KUMARAYYA
S/O LATE SIDHALINGAYYA,
AGED ABOUT 75 YEARS,
R/AT SORKELA JANGAMA MUTT,
SHIRVA, PILAR VILLAGE, PERNAL POST,
UDUPI TALUK AND DISTRICT.

6. MR. SHIVAPRASAD @ APPU
S/O K. KUMARAYYA,
AGED ABOUT 43 YEARS,
R/AT SORKELA JANGAMA MUTT,
SHIRVA, PILAR VILLAGE, PERNAL POST,
UDUPI TALUK AND DISTRICT.

7. MR. SANGAMESHA
S/O K. KUMARAYYA,
AGED ABOUT 39 YEARS,
PRESENTLY R/AT C/O MR. SHIVANANDAYYA,
CHAMANI ROAD, GURUPUR POST,
MANGALURU TALUK - 574145, D.K.

8. MR. GIRISH KUMAR
S/O LATE VISHWANATHAYYA,
AGED ABOUT 40 YEARS,
R/AT PANGALA JANGAMA MUTT,
PANGALA POST, UDUPI TALUK AND DISTRICT.

9. MR. G. RAMESH BHAT
S/O G. LAXMAN BHAT,
AGED ABOUT 52 YEARS,
SUDHA BEKARY, MAIN ROAD,
GURUPUR POST,
MANGALURU TALUK - 574144, D.K.

10. SRI. G. M. UDAYA BHAT
S/O LATE ANANTHRAM BHAT,
AGED ABOUT 44 YEARS,
R/AT MANJE HITHLU HOUSE,
GURUPUR - 574145,
MANGALURU TALUK, D.K.

…RESPONDENTS

THIS MISCELLANEOUS SECOND APPEAL IS FILED UNDER ORDER 43 RULE 1(u) READ WITH SECTION 104 OF THE CODE OF CIVIL PROCEDURE, 1908.

THIS MISCELLANEOUS SECOND APPEAL IS LISTED FOR ORDERS, THIS DAY, THE JUDGMENT IS DELIVERED AS UNDER:

ORAL ORDER

Smt.Anjali Suresh, counsel on behalf of Sri.Vinod Kumar M., for the appellants appeared in person.

The appeal is listed today for orders regarding maintainability of the appeal.

The office has raised an objection. Taking note of the impugned order, the registry is justified in raising the objection.

Objections are sustained.

The appellants may approach the appropriate forum if so advised and if the law permits.

Resultantly, the appeal is ***disposed*** of.

The office is directed to return all the original documents to the appellants by replacing it with Xerox copies.

Sd/-
(JYOTI M)
JUDGE

SS
List No.: 2 Sl No.: 5