HC-KAR

NC: 2026:KHC:65133
MFA No. 8393 of 2024

CNR: KAHC010732712024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

MISCELLANEOUS FIRST APPEAL NO. 8393 OF 2024 (CPC)

BETWEEN:

SRI. KRISHNAPPA
S/O LATE PATEL MUNIYAPPA
AGED ABOUT 67 YEARS
R/AT NO.1768, 28TH MAIN
H.S.R.2ND SECTOR
BANGALORE - 102
ALSO AT: R/AT CHUDASANDRA VILLAGE
SARJAPUR HOBLI, ANEKAL TALUK
BANGALORE DISTRICT.

...APPELLANT

(BY SRI. RAMESH GOWDA A, ADVOCATE)

AND:

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

1. SMT. KRISHNAMMA
   D/O LATE PATEL MUNIYAPPA
   W/O K.R. PUTTASWAMY
   AGED ABOUT 64 YEARS
   R/AT NO.N54, 6TH CROSS
   MAGADI ROAD, BANGALORE - 560 023.

2. SMT. PUSHPA
   D/O LATE MUTHURAYAPPA,
   AGED ABOUT 53 YEARS

3. SRI. KODANDAPPA
S/O LATE MUTHURAYAPPA
AGED ABOUT 51 YEARS

4. SRI.GANGADHARAPPA
S/O LATE MUTHURAYAPPA
AGED ABOUT 48 YEARS

5. SRI. SHIVAPPA
S/O LATE MUTHURAYAPPA
AGED ABOUT 46 YEARS

2 TO 5 ARE R/AT CHUDASANDRA VILLAGE,
SARJAPURA HOBLI, ANEKAL TALUK,
BANGALORE DISTRICT - 562 106.

6. SRI. PAPANNA
S/O LATE PATEL MUNIYAPPA
AGED ABOUT 52 YEARS

7. SRI. SHAMAPPA
S/O LATE PATEL MUNIYAPPA
AGED ABOUT 46 YEARS

8. SMT. ANJINAMMA
D/O LATE PATEL MUNIYAPPA
AGED ABOUT 44 YEARS
RESPONDENT NO. 6 TO 8 ARE
R/AT CHUDASANDRA VILLAGE,
SARJAPURA HOBLI, ANEKAL TALUK,
BANGALORE DISTRICT - 562 106.

9. SMT.BHAGYAMMA
D/O LATE NAGARATHNAMMA

@ MUNIRATHNAMMA
W/O VENKATESH
AGED ABOUT 40 YEARS
R/AT VO. 137, 11TH CROSS,
SOMASUNDARAPALYA,
HSR LAYOUT, BANGALORE - 560 102.

10. SMT. GEETHA
D/O LATE NAGARATHNAMMA
@ MUNIRATHNAMMA
W/O KRISHNAMURTHY
AGED ABOUT 35 YEARS
R/AT KUPENDRA REDDY LAYOUT,
KSRP QUATRES OPPOSITE,
BANGALORE - 560 102.

11. SRI. AMBRISH
S/O LATE NAGARATHNAMMA @ MUNIRATHNAMMA
AGED ABOUT 34 YEARS
R/AT ASHIRVAD NILAYA,
GANAPATHI TEMPLE NEAR,
RAYASANDRA MAIN ROAD,
NAGANATHAPURA, ELECTRONIC CITY POST,
BANGALORE - 560 100.

12. SMT. RAJAMMA
D/O MUNIYAPPA,
W/O CHINNAPPA,
AGED ABOUT 43 YEARS,
R/AT BANNERAGATTA VILLAGE,
JIGANI HOBLI, ANEKAL TALUK,
BANGALORE DISTRICT - 562 102.

13. SRI. PAPAIAH

S/O LATE MALLAPPA
AGED ABOUT 60 YEARS,

14. SRI. NARAYANA
S/O PAPAIAH,
AGED ABOUT 28 YEARS,

15. SMT. LAKSHMAMMA
W/O NARAYANAPPA
AGED ABOUT 54 YEARS,

16. SMT. MANJULA
S/O NARAYANAPPA,
AGED ABOUT 33 YEARS,

17. SRI. S.N. PRAKASH
W/O NARAYANAPPA
AGED ABOUT 31 YEARS,

18. N .LOKESH
D/O NARAYANAPPA
AGED ABOUT 30 YEARS,

19. SRI. N. RAGHAVENDRA
S/O NARAYANAPPA
AGED ABOUT 27 YEARS,

20. SMT. GOWRAMMA
W/O KRISHNAPPA
AGED ABOUT 41 YEARS,

21. SRI. CHANDRA
S/O KRISHNAPPA
AGED ABOUT 36 YEARS,

22. SRI. KUMAR
W/O KRISHNAPPA
AGED ABOUT 34 YEARS,

23. KUMARI VARALAKSHMI
S/O KRISHNAPA
AGED ABOUT 32 YEARS,

24. SRI. SANJEEVA
S/O M SHAMAPPA
AGED ABOUT 27 YEARS,

25. VASU
S/O M. SHAMAPPA,
AGED ABOUT 25 YEARS,

26. SRI. JAGADISH
S/O M. SHAMAPPA
AGED ABOUT 23 YEARS,
RESPONDENTS NO.13 AND 26 ARE
R/AT CHOODASANDRA VILLAGE,
SARJAPURA HOBLI, ANEKAL TALUK,
BANGALORE DISTRICT - 562 102.

27. SMT. KANTHAMMA
W/O LATE CHIKKA THAYAPPA
AGED ABOUT 66 YEARS

28. SMT. GOWRAMMA
W/O LATE C. ASHOK
AGED ABOUT 55 YEARS,

29. SRI. C. SUNDER
S/O LATE CHIKKA THAYAPPA,

AGED ABOUT 50 YEARS,

30. SRI. C. VENKATESH
S/O LATE CHIKKA THAYAPPA,
AGED ABOUT 55 YEARS,

31. SRI. SRINIVAS
S/O LATE C. ASHOK
AGED ABOUT 32 YEARS,

32. SMT. CHINNAMMA
D/O LATE ASHOK
AGED ABOUT 30 YEARS,

33. KUMARI. SHASHIKALA
S/O LATE C. ASHOK
AGED ABOUT 28 YEARS,

34. KUMARI. PRABHA
D/O LATE C. ASHOK
AGED ABOUT 26 YEARS,

35. SRI. SHIVA KUMAR
D/O LATE C. ASHOK
AGED ABOUT 24 YEARS,

36. SMT. BHARATHI
D/O C. SUNDER
AGED ABOUT 38 YEARS

37. KUMARI. MOHAN KUMARI
D/O C. SUNDER
AGED ABOUT 30 YEARS

38. SRI. S. RAVIKUMAR
S/O C. SUNDER
AGED ABOUT 28 YEARS

39. SMT. VASANTHA
D/O C. VENKATESH
AGED ABOUT 45 YEARS

40. KUMARI. VANITHA
D/O C. VENKATESH
AGED ABOUT 22 YEARS

41. KUMARI. SONIA
D/O C. VENKATESH,
AGED ABOUT 20 YEARS

42. SMT. SUGUNAMMA
W/O LATE SOMESH
AGED ABOUT 53 YEARS

43. SMT. RENUKA
W/O RAJU
AGED ABOUT 46 YEARS

44. SMT. MUNI YALLAMMA
W/O YELLAPPA
AGED ABOUT 41 YEARS

45. SMT. CHINNAMMA
W/ O RAMESH
AGED ABOUT 39 YEARS

46. SMT. SUDHA
W/O SURESH BABU
AGED ABOUT 30 YEARS

RESPONDENTS 27 TO 46 ARE
R/AT NO. 42, 1ST MAIN, 1ST CROSS,
EJIPURA NEAR PREETHI MEDICAL STORE,
BANGALORE - 560 047.

47. SIRAJ
S/O ABDUL BASITH
AGED ABOUT 39 YEARS
R/AT NO. 1334/1, 26TH MAIN,
32ND CROSS, JAYANAGAR,
4TH T BLOCK, BANGALORE - 560 041.

48. SRI. D. NAGARAJAPPA
S/O LATE DODDAPPA
AGED ABOUT 46 YEARS
C/O H.K. RANGASWAMY
R/AT NO. 2502, 25 MAIN
14 A CROSS, 1 SECTOR
H.S.R LAYOUT,
BANGALORE - 560 102.

49. SRI. N.M KRISHNAPPA
S/O LATE NARAYANAPPA
AGED ABOUT 42YEARS
R/AT NO. 33, MANGAMMANAPALYA,
1ST MAIN ROAD, 1ST CROSS
MANJUNATHA LAYOUT,
BANGALORE - 560 068.

50. SRI. M. KRISHNAA REDDY
S/O MUNIYAPPA REDDY
AGED ABOUT 62 YEARS
R/AT NO. 32, HAL
3RD STAGE, NEW THIPPASANDRA,
BANGALORE - 560 075.

51. SRI. GOUSE PEER
S/O TAJ PEER
AGED ABOUT 30 YEARS
R/AT M.S. PALYAHEBBUR, HOBLI
GUBBI TALUK, TUMKUR DISTRICT.

52. M/S. MATA AMRUTHANANDAMAYI MATHA
REPRESENTED BY DHANANRAJ AMRITAPURI,
KOLLAM DISTRICT,
KERALA - 690 525.

…RESPONDENTS

(BY SRI. M. SRINIVASAIAH, ADVOCATE FOR R1)

THIS MFA IS FILED UNDER ORDER 43 RULE 1(r) OF CPC, AGAINST THE ORDER DATED 22.11.2024 PASSED ON I.A. NO. 12 IN O.S.NO.37/2008 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE AND JMFC, ANEKAL, ALLOWING THE I.A. NO.12 FILED UNDER ORDER XXXIX RULE 1 AND 2 READ WITH SECTION 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 **17.12.2026.**

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

NMS/List No.: 1 Sl No.: 29