HC-KAR

NC: 2026:KHC:65244
MFA No. 8539 of 2024

CNR: KAHC010750212024

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. 8539 OF 2024 (CPC)

BETWEEN:

1. SRI. G.V. NAGARAJU
AGED ABOUT 57 YEARS,
S/O. LATE VENKATAPPA
@PRABAIANAVARA VENKATAPPA,
RESIDING AT SY NO.49/1-2,
GUNJURU VILLAGE,
CARMELRAM- DODDAKANNELI ROAD,
VARTHUR HOBLI, BENGALURU EAST TALUK,
BENGALURU DISTRICT - 560 087.

2. SMT. RENUKAMMA,
AGED ABOUT 55 YEARS,
D/O. LATE VENKATAPPA
@PRABAIANAVARA VENKATAPPA,
RESIDING AT HAGADURU VILLAGE,
K.R. PURAM HOBLI, BENGALURU EAST TALUK,
BENGALURU - 560 066.

3. SMT. RUKAMMA,
AGED ABOUT 54 YEARS,
D/O. LATE VENKATAPPA
@PRABAIANAVARA VENKATAPPA,
RESIDING AT NO.296, MADHURANAGAR,
SORAHUNASE VILLAGE,
VARTHUR HOBLI,

Digitally signed by VINUTHA M
Location: HIGH COURT OF KARNATAKA

BENGALURU EAST TALUK
BENGALURU DISTRICT - 560 087.

...APPELLANTS

(BY SRI. VENUGOPAL M.S, ADVOCATE)

AND:

1. SMT. KANTHAMMA
   AGED ABOUT 58 YEARS,
   W/O LATE G.M. MUNI REDDY

2. NISHA
   AGED ABOUT 34 YEARS,
   D/O LATE G.M. MUNI REDDY

3. M. ASHWINI
   AGED ABOUT 32 YEARS,
   D/O LATE G.M. MUNI REDDY

   RESPONDENT NO.1 TO 3 ARE
   RESIDENT OF BANASAWADI VILLAGE,
   NEAR BANASAWADI BUS STOP
   BENGALURU - 560 053.

4. SRI. G.M. SRINIVASA REDDY
   AGED ABOUT 64 YEARS
   S/O LATE MARISWAMY REDDY

5. SRI. G.M. GOPAL REDDY
   AGED ABOUT 60 YEARS
   S/O LATE MARISWAMY REDDY

6. SRI. G.M. PRABAIH
   AGED ABOUT 57 YEARS
   S/O LATE MARISWAMY REDDY

7. SRI. G.M. SRIDHARA REDDY
AGED ABOUT 55 YEARS
S/O LATE MARISWAMY REDDY

RESPONDENT NO.4 TO 7 ARE
RESIDENT OF GUNJUR VILLAGE
VARTHUR HOBLI,
BENGALURU EAST TALUK
BENGALURU - 560 087.

8. SMT. NAGARATHANAMMA
AGED ABOUT 68 YEARS
D/O LATE MARISWAMY REDDY
W/O LATE NARAYANA REDDY
RESIDING AT CHIKKANAYAKANAHALLI
VARTHUR HOBLI, SARJAPURA ROAD
CARMELARAM POST, BENGALURU - 560 035.

9. SMT. PUTTAGOWRAMMA
AGED ABOUT 63 YEARS
D/O LATE MARISWAMY REDDY
W/O PRAKASH
RESIDING AT KALKERE VILLAGE
BANNERGHATTA MAIN ROAD
JIGANI HOBLI, ANEKAL TALUK
BENGALURU DISTRICT - 560 083.

10. SMT. NIRMALA
AGED ABOUT 59 YEARS
D/O LATE MARISWAMY REDDY
RESIDING AT NO.100E, TYPE I
5TH BLOCK, NAYVELLI - 607 803
TAMILNADU STATE.

11. SRI. G.N. ASHWATH REDDY
AGED ABOUT 83 YEARS
S/O LATE RANGAMMA AND NANJUNDAPPA

12. SRI. G.A. MANOHAR REDDY
AGED ABOUT 54 YEARS
S/O G.N. ASHWATH REDDY

13. SRI. G.A. HARISH KUMAR,
AGED ABOUT 42 YEARS,
S/O. G.N. ASHWATH REDDY,

RESPONDENY NO.11 TO 13 ARE
RESIDING AT GUNJUR VILLAGE,
NEAR MARAMMANA GUDI,
VARTHUR HOBLI, BENGALURU EAST TALUK,
BENGALURU - 560 087.

14. SMT. G.N. GOWRAMMA,
AGED ABOUT 70 YEARS,
D/O. LATE RANGAMMA AND NANJUNDAPPA,
WIFE OF RAMA REDDY
@ SUNNADAKALLU ANGADI RAMA REDDY,
RESIDING AT WHITEFIELD MAIN ROAD,
OPP VIJAYA BANK, VARTHUR HOBLI,
BENGALURU - 560 084.

15. SMT. PUTTAMMA,
AGED ABOUT 76 YEARS,
D/O. LATE RANGAMMA AND NANJUNDAPPA,
WIFE OF LATE SRINIVASA REDDY,
RESIDING AT SINGAYANAPALYA,
NEAR GOVERNMENT SCHOOL,
MAHADEVAPURA POST, KR PURA HOBLI,

BENGALURU - 560 048.

16. SMT. G.N. VARALAKSHMI,
AGED ABOUT 62 YEARS,
D/O. LATE RANGAMMA AND NANJUNDAPPA,
WIFE OF NAGARAJ REDDY,
RESIDING AT GUNJUR VILLAGE,
NEAR MARAMMA GUDI, VARTHUR HOBLI,
BENGALURU - 560 087.

17. SRI. G.N. MUNIVENKTAPPA (RTRD ACP)
AGED ABOUT 73 YEARS,
S/O. LATE RANGAMMA AND NANJUNDAPPA,
RESIDING 2ND SECTOR, HSR LAYOUT,
BENGALURU - 560 102.

G.N. VENKATASWAMY REDDY,
SINCE DECEASED BY HIS LRS,

18. SMT. V. THRIEVENI,
D/O. LATE G.N. VENKATASWAMY REDDY,
AGED ABOUT 37 YEARS

19. SMT. G.V. THRIENETHRA BABU @ BABU,
S/O. LATE G.N. VENKATASWAMY,
AGED ABOUT 31 YEARS

20. SMT. ASHWINI
D/O. LATE G.N. VENKATASWAMY,
AGED ABOUT 28 YEARS,

21. SRI. G.V. MADHUSUDHAN @ MADHU,
S/O. LATE H.C. BETTEGOWDA,
AGED ABOUT 25 YEARS,

RESPONDENT NO.18 TO 21
RESIDING AT GUNJUR PALYA,
GUNJUR VILLAGE, VARTHUR HOBLI,
BENGALURU EAST TALUK - 560 087.

22. SRI. G.N. GOVINDA REDDY,
AGED ABOUT 69 YEARS,
S/O. LATE RANGAMMA AND NANJUNDAPPA,

23. SRI. G.N. BHARATHAMMA,
AGED ABOUT 62 YEARS,
D/O. LATE RANGAMMA AND NANJUNDAPPA,

RESPONDENT NO.22 AND 23 ARE
RESIDING AT GUNJUR VILLAGE,
NEAR MARAMMANA GUDDI,
VARTHUR HOBLI, BENGALURU EAST TALUK,
BENGALURU - 560 087.

…RESPONDENTS

(BY SRI. E. VENKATARAMI REDDY, ADVOCATE
FOR R11, R17 TO R22;
R15 IS SERVED AND UNREPRESENTED)

THIS MFA IS FILED UNDER ORDER 43 RULE 1(c) OF CPC, AGAINST THE ORDER DATED 03.12.2024 PASSED IN MIS.CASE.NO.43/2022 ON THE FILE OF THE VII ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, BENGALURU RURAL DISTRICT, BENGALURU, DISMISSING THE PETITION FILED UNDER ORDER 9 RULE 9 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

17.12.2026.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

NMS
List No.: 1 Sl No.: 7