

IN THE COURT OF THE PRL.CIVIL JUDGE AND JMFC., MADHUGIRI.**O.S.No.411/2018****PRESENT: SRI.AMARANATHA B.N.****B.A. LL.B****Prl. Civil Judge & JMFC****Madhugiri****DATED ON THIS THE 01st DAY OF JUNE, 2026****PLAINTIFFS:**

1. Smt.Shamlanaika,
Since dead by her LRs.
- 1(a) Smt.Ramakka,
W/o Late Shamlanaika,
aged about 65 years,
- 1(b) Sri.Rameshanaiaka,
S/o Late Shamlanaika,
aged about 42 years,

Both are R/o Kamsanahalli village,
Kodigenahalli Hobli, Madhugiri Taluk.
- 1(c) Smt.Subbarathnamma
W/o Late Krishnanaika,
aged about 50 years,
R/o Khadi Ranganahalli village,
Hosur Hobli, Gowribidanur Taluk.
- 1(d) Smt.Manjamma
W/o late Krishnanaika,

Aged about 46 years,
R/o Shettihalli village,
Kasaba Hobli, Madhugiri Taluk.

1(e) Smt.Shakunthamma
W/o Rameshnaika,
Aged about 38 years,
R/o Byrapura Thanda,
Kodigenahalli Hobli, Madhugiri Taluk.

2. Sri.Narayananaika,
Aged about 72 years,
Dead by LRs.,

2(a) Smt.Gowramma,
W/o Late Narayananaika,
Aged about 65 years,

2(b) Smt.Annapoornamma,
W/o Late Srinivasanaika,
Aged about 41 years,

2(c) Smt.Puttamma
D/o Late Narayananaika,
Aged about 48 years,

2(d) Smt.Nagarathanamma,
W/o Late Hanumantharaya,
Aged about 40 years,

All are R/o Halethimmanahalli village,
Puravara Hobli, Madhugiri Taluk.

3. Sri.Narasinga Naika,
Aged about 70 years,
Dead by LRs.

3(a) Smt.Lakshamma,
W/o Late Narasinga Naika,
Aged about 52 years,

R/o Kamsanahalli village,
Kodigenahalli Hobli, Madhugiri Taluk.

4. Sri.Krishna Naika,
S/o Togyanaika,
Aged about 68 years,
5. Sri.Ashwathanarayana,
S/o Togyanaika,
Aged about 65 years,

All are R/o Kamsanahalli village,
Kodigenahalli Hobli, Madhugiri Taluk.

(By Sri.TD, Advocate)

//Versus //

DEFENDANTS :

Sri.Sreenivasa S/o Munidasari,
Since dead by LR's.

1. Smt.Roopa W/o Late Sreenivasa,
Aged about 50 years,
2. Sri.Sharatha S/o Late Sreenivasa,
Aged about 30 years,
3. Smt.Sirisha D/o Late Sreenivasa,
Aged about 28 years,
4. Smt.Swatha D/o Late Sreenivasa,
Aged about 25 years,

All are R/o Kamsanahalli village,
Kodigenahalli Hobli, Madhugiri Taluk.

(By Sri.PDT, Advocate)

RANK OF THE PARTIES IN IA NO.VIII**APPLICANT/PLAINTIFF : Sri.Shamlanaika and others****V/s****OPPONENTS/ DEFENDANTS : Sri.Srinivasa**

i	Provision under which the application is filed	Under order VII rule 10 r/w Section 151 of CPC
ii	Relief sought for	Return of plaint
iii	The date on which the application is filed	03.02.2026
iv	Number of the application	IA.No.VIII
v	The date on which the objections are filed by different opponents	Objections not filed
vi	The date on which the orders were passed on the said application	01.06.2026
vii	Stage of the proceedings	Hearing on Jurisdiction of the court

:: ORDERS ON I.A.No.VIII::

1. The plaintiffs have filed this application under order VII Rule 10 r/w Section 151 of CPC, with a prayer to return the plaint to present the same before Hon'ble Prl.Senior Civil Judge & JMFC., Madhugiri by fixing the date for appearance of the parties as per the order VII Rule 10(a) of CPC along with certificate for want of pecuniary jurisdiction in the above case.

2. The plaintiff No.4 in the affidavit filed in support of the application stated that they have filed this suit against the defendants for the relief of declaration and permanent injunction in respect of the suit schedule property. Further stated that they have filed this suit in the year 2018 and valued the suit for a sum of Rs.2000/- for the purpose of payment of court fee and pecuniary jurisdiction, but the extent of the suit schedule property is measuring 09 acres 34 guntas. Further stated that as per the valuation certificate issued by the Sub-Registrar, Madhugiri the market value of the suit schedule property is Rs.4,00,000/- per acre. Hence market value of the suit schedule property is more than Rs.40,00,000/-. Hence this court has no pecuniary jurisdiction to try and dispose off the above suit. Therefore it is just and necessary to return the plaint to present the same before the jurisdictional court. If the application is allowed and the plaint is returned to them to present the same before the jurisdictional court, no hardship or injustice would be caused to the case of the other side. On the other hand if the application is rejected, then their property rights will be seriously affected which cannot be compensated at all, by stating so filed this application.

3. Upon receipt of the application the counsel for the defendants submits no objection to allow the application.
4. Heard the arguments of Sri.TD Advocate for plaintiffs and Sri.PDT advocate for the defendants.
5. Upon hearing the arguments, perused the materials on record. Upon perusing the material on record the following points arise for my consideration.

POINTS

1. Whether the plaintiffs have made out sufficient grounds to return the plaint as prayed in the application?
 2. What order?
6. My findings to the above points are as under:-

ANSWERS

Point No.I : In the Affirmative
Point No.II : As per final order.
For the following,

REASONS

7. **POINT NO.I:-** The plaintiffs have filed this suit against the defendants for the relief of declaration and permanent injunction

in respect of the suit schedule property and valued the suit for a sum of Rs.2,000/- for the purpose of jurisdiction of the court and payment of court fee.

8. Upon considering the materials on record, this court by order dated 12.11.2025 directed the plaintiffs to file fresh valuation slip as per Section 50 of Karnataka Court Fee and Suit Valuation Act for the purpose of pecuniary jurisdiction of the court. As per the directions of this court, on 28.11.2025 the plaintiffs filed fresh valuation slip valuing the suit schedule property for a sum of Rs.40,00,000/-, when the matter was posted for hearing with regard to jurisdiction of the court the plaintiffs have filed this application.
9. Further it is relevant to note that on perusal of the plaint it goes to show that the plaintiffs have filed this suit in respect of land bearing Sy.No.283 measuring 09 acres 34 guntas, situated at Kamsanahalli Village, Madhugiri Taluk and as per the valuation slip produced by the plaintiffs on 28.11.2025 the market value of the suit schedule property is more than Rs.40,00,000/- as on the

date of filing this suit. Hence this court has no pecuniary jurisdiction to try and dispose of the suit.

10. Further it is relevant to note that the plaintiff No.4 in the affidavit filed in support of the application clearly stated that the market value of the suit schedule property is more than Rs.40,00,000/-. Hence this court has no pecuniary jurisdiction to try and dispose of the suit. Therefore, it is just and necessary to return the plaint to present the same before the jurisdictional court. Hence this court is of the opinion that the plaintiffs have made out sufficient grounds to return the plaint to present the same before the jurisdictional court as prayed in the application. ***Hence I answer point No.1 in the Affirmative.***

11. **POINT NO.2:-**In view of the reasons on point No.1, I proceed to pass the following:

ORDER

I.A. No.VIII filed by the plaintiffs under Order VII Rule 10 r/w Section 151 of CPC, is hereby allowed.

Consequently, the plaint presented by the plaintiffs is returned to the plaintiffs to present the

same before the Hon'ble Prl. Senior Civil Judge & JMFC., Madhugiri for want of pecuniary jurisdiction.

Further both the parties are directed to appear before the Hon'ble Prl. Senior Civil Judge & JMFC., Court, Madhugiri on 23.06.2026 without expecting any notice to proceed with the case.

(Dictated to the stenographer, transcribed by her, corrected by me and then pronounced in the open court today on this the 01st day of June, 2026)

(AMARANATHA.B.N)
*Prl.Civil Judge and JMFC.,
Madhugiri.*