



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

REGULAR SECOND APPEAL NO. 760 OF 2020 (PAR)

BETWEEN:

1. N.K.AVANASIYAPPAN,
S/O KARUPPAGOUNDER,
AGED ABOUT 61 YEARS,
2. A. RAMESH
S/O AVANASHIYAPPAN,
AGED ABOUT 40 YEARS,

APPELLANT NO.1 AND 2 ARE
R/O ELACHIGERE VILLAGE
FARM HOUSE,
HARADANAHALLI HB LI,
CHAMARAJANGARA TALUK
PIN CODE-571127.

...APPELLANTS

(BY SMT. LATHASHREE D.L., ADVOCATE FOR
SRI. DEEPAK D C., AND SMT. MANJULA P.V., ADVOCATES)

AND:

1. MAHADEVAMMA,
D/O SOMANNEGOWDA,
AGED ABOUT 40 YEARS,
R/O HONNAHALLI VILLAGE,
HARADANAHALLI HOBLI,
CHAMARAJANAGAR TALUK,
PIN CODE-571127.



2. SMT GOWRAMMA,
W/O LATE SOMANNEGOWDA
AGED ABOUT 58 YEARS
R/AT HONNAHALLI VILLAGE
CHAMARAJANAGAR TALUK
CHAMRAJANAGAR -572217.

3. SMT CHIKKATHAYAMMA
D/O LATE MADEGOWDA
AGED ABOUT 38 YEARS

4. SMT PUSHPA
D/O LATE SOMANNEGOWDA
AGED ABOUT 36 YEARS

RESPONDENT NO.2 TO 4 ARE
R/AT HONNAHALLI VILLAGE
CHAMARAJANAGAR TALUK
CHAMRAJANAGAR -572217.

...RESPONDENTS

(BY SRI. P NATARAJU, ADVOCATE FOR R1;
SRI. SHIVANANDA R., ADVOCATE FOR R2 TO R4)

THIS RSA FILED UNDER SECTION 100 OF CPC, AGAINST THE JUDGMENT AND DECREE DATED 04.11.2019 PASSED IN RA.NO.26/2018 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, CHAMARAJANAGARA, ALLOWING THE APPEAL AND MODIFYING THE JUDGMENT AND DECREE DATED 22.01.2018 PASSED IN O.S.NO.207/2010 ON THE FILE OF THE ADDITIONAL CIVIL JUDGE AND JMFC, CHAMARAJANAGAR.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE K.S. HEMALEKHA



ORAL JUDGMENT

Memorandum of compromise under Order XXIII Rule 3 read with Section 151 of CPC is filed.

2. The terms of compromise is stated at Paragraph No.8 which reads as under:

"8. The Appellants submit that in pursuance of the said compromise, they have obtained Demand Drafts in favour of the Respondents and the particulars of the same are as follows:

*a) Demand Draft bearing No."**256000**" dated **10.03.2026** drawn on **Tamilnad Mercantile Bank Ltd**, Chamarajanagar, for a sum of **Rs.4,62,500/-** in favour of **Respondent No.1 - Smt.Mahadevamma***

*b) Demand Draft bearing No."**256001**" dated **10.03.2026** drawn on **Tamilnad Mercantile Bank Ltd**, Chamarajanagar, for a sum of **Rs.4,62,500/-** in favour of **Respondent No.2 - Smt.Gowramma.***

*c) Demand Draft bearing No."**256002**" dated **10.03.2026** drawn on **Tamilnad Mercantile Bank Ltd**, Chamarajanagar, for a sum of **Rs.4,62,500/-** in favour of **Respondent No.3 - Smt.Chikathayamma.***

*d) Demand Draft bearing No."**256003**" dated **10.03.2026** drawn on **Tamilnad Mercantile Bank Ltd**, Chamarajanagar, for a sum of **Rs.4,62,500/-** in favour of **Respondent No.4 - Smt.Pushpa."***

3. The appellant Nos.1 and 2 and the respondent Nos.1 to 4 along with their respective counsels have signed the compromise petition. The appellant Nos.1 and 2



and the respondent Nos. 1 to 4 are present before the Court and duly identified by their respective counsels.

4. When a query made by this Court to the appellant Nos.1 and 2 and the respondent Nos.1 to 4, they submit that the compromise has been entered without any coercion or any misrepresentation. The demand drafts towards full and final settlement are handed over to the respondent Nos.1 to 4 who are present before the Court. The photostat copies of the demand drafts are annexed by a separate memo.

5. The memorandum of compromise is taken on record.

6. The Regular Second Appeal stands ***disposed of*** in terms of the compromise.

Registry to draw the decree accordingly.

Sd/-

JUSTICE K.S. HEMALEKHA