



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

REGULAR SECOND APPEAL NO.311 OF 2023 (INJ)

BETWEEN:

1. DEVEGOWDA
S/O. LATE BOREGOWDA
SINCE DEAD BY HIS LRS.
- 1(a) SMT. PUTTAMANI
W/O. DEVEGOWDA
AGED ABOUT 59 YEARS
R/O. TARIKATTE VILLAGE
HIRIYUR POST
BHADRAVATHI TALUK.
SHIVAMOGGA DISTRICT-577 301.
- 1(b) SMT. JAYASHREE
D/O. DEVEGOWDA
AGED ABOUT 45 YARS
R/O. TARIKATTE VILLAGE
HIRIYUR POST
BHADRAVATHI TALUK
SHIVAMOGGA DISTRICT-577 301.
- 1(c) SRI. VENKATESHGOWDA
S/O. DEVEGOWDA
AGED ABOUT 42 YEARS
R/O. TARIKATTE VILLAGE
HIRIYUR POST
BHADRAVATHI TALUK
SHIVAMOGGA DISTRICT-577 301.

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by DEVIKA M
Location: HIGH
COURT OF
KARNATAKA



1(d) SMT. SHARAVATHI
D/O. DEVEGOWDA
AGED ABOUT 40 YEARS
R/O. TARIKATTE VILLAGE
HIRIYUR POST
BHADRAVATHI TALUK
SHIVAMOGGA DISTRICT-577 301.

2. SRI. KESHAVAMURTHY
AGED ABOUT 43 YEARS
AGRICULTURIST
R/O. TARIKATTE VILLAGE
HIRIYUR POST
BHADRAVATHI TALUK
SHIVAMOGGA DISTRICT-577 301.

...APPELLANTS

(BY SRI. SUNIL KUMAR B.N., ADVOCATE - ABSENT)

AND:

1. SMT. DEVIRAMMA
SINCE DEAD BY HIS LRS.,

(a) SMT. GOWRAMMA
D/O. LATE DURGAPPA
W/O. LATE RUDRAPPA
AGED ABOUT 48 YEARS
R/O. HIRIYUR VILLAGE AND POST
BHADRAVATHI TALUK
SHIVAMOGGA DISTRICT-577 301.

1(b) SMT. HANUMANTHAMMA
D/O. LAT DURGAPPA
W/O. DODDAIAH
AGED ABOUT 44 YEARS
R/O. KARUCHCHI VILLAGE
TARIKERE TALUK
CHIKKAMAGALURU DISTRICT-577 228.



1(c) SMT. SAVITHRAMMA
D/O. LATE DURGAPPA
W/O. LATE GANGADHARA
AGED ABOUT 42 YEARS
R/O. HIRIYUR VILLAGE AND POST
BHADRAVATHI TALUK
SHIVAMOGGA DISTRICT-577 301.

1(d) SRI. HANUMANTHA
S/O. LATE DURGAPPA
AGED ABOUT 41 YEARS
R/O. HIRIYUR VILLAGE AND POST
BHADRAVATHI TALUK
SHIVAMOGGA DISTRICT-577 301.

...RESPONDENTS

THIS RSA IS FILED UNDER SECTION 100 OF CPC,
AGAINST THE JUDGMENT AND DECREE DATED 10.10.2022
PASSED IN R.A.NO.5041/2021 ON THE FILE OF THE IV
ADDITIONAL DISTRICT AND SESSIONS JUDGE, SHIVAMOGGA,
SITTING AT BHADRAVATHI. DISMISSING THE APPEAL AND
CONFIRMING THE JUDGMENT AND DECREE DATED 06.09.2018
PASSED IN O.S.NO.393/2014 ON THE FILE OF THE III
ADDITIONAL CIVIL JUDGE AND JMFC, BHADRAVATHI.

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



CORAM: HON'BLE MR. JUSTICE H.P.SANDESH

ORAL JUDGMENT

This matter was called on 10.10.2025 and learned counsel for the appellant was absent. Today also, matter was called twice in the morning and also in the afternoon, even in the afternoon also, no representation on behalf of the appellants.

2. The Trial Court granted the relief of permanent injunction and the same is challenged before the First Appellate Court. The First Appellate Court also confirmed the same and this appeal is filed against the concurrent finding.

3. Learned counsel for the appellants is not pursuing the matter diligently. Hence, the appeal is dismissed for non-prosecution.

**Sd/-
(H.P.SANDESH)
JUDGE**

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List No.: 1 Sl No.: 30