



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

REGULAR FIRST APPEAL NO. 1173 OF 2024 (PAR/INJ)

BETWEEN:

SMT. KALAMMA
(DIED ON 01.09.2010)

1. SMT. MARIYAMMA SINCE DEAD BY HER LR'S

SHIVALINGA
S/O KARIGOWDA
AGED ABOUT 43 YEARS
R/ AT MUTTENAHALLI VILLAGE
MALAVALLI TALUK
MANDYA DISTRICT - 571 114

2. SMT. SUDHA
D/O KARIGOWDA
W/O LAKSHMANA,
AGED ABOUT 39 YEARS,

SRI. PUTTASWAMY
SINCE DEAD BY LRS

3. SUSHEELAMMA
W/O LATE PUTTASWAMY
AGED ABOUT 50 YEARS

4. ARUNA @ ARUN KUMAR
S/O LATE PUTTASWAMY,
AGED ABOUT 33 YEARS,
APPELLANTS NO.2 TO 4 ARE
R/AT SOREKAI DODDI VILLAGE,
SATHANOORU HOBLI
KANAKAPURA TALUK

Digitally signed
by
SHARADAVANI
B
Location: High
Court of
Karnataka



RAMANAGARA DISTRICT - 562 126

MANU @ MANUKUMAR
(DIED ON 27.4.2017 WITHOUT MARRIAGE)

5.

SMT. MAHADEVAMMA
D/O PUTTAMARIGOWDA,
AGED ABOUT 40 YEARS

SRI. HOMBALE GOWDA
S/O KENCHE GOWDA,
AGED ABOUT 60 YEARS

6. SINCE DEAD BY L'S

MR. MANJUNATH @ MANJA
AGED BOUT 45 YEARS
S/O LATE HOMBALE GOWDA @KARIYAPPA

7. SMT. SAROJAMMA
AGED ABOUT 40 YEARS
D/O LATE HOMBALE GOWDA @KARIYAPPA
W/O MR. SRIKANTA

APPELLANTS NO.5 TO 7 ARE ALL
R/AT ANKEGOWDANA DODDI VILLAGE,
SATHANOORU HOBLI,
KANAKAPURA TALUK,
RAMANAGARA DISTRICT - 562 126

8. SMT. JAYAMMA,
AGED ABOUT 70 YEARS
W/O KARIGOWDA,
D/O LATE BYREGOWDA,

9. SMT. CHIKKATHAYAMMA
AGED ABOUT 68 YEARS
W/O PUTTEGOWDA
D/O LATE BOREGOWDA



APPELLANTS NO.8 AND 9 ARE
R/AT SOREKAI DODDI VILLAGE,
SATHANOORU HOBLI
KANAKAPURA TALUK
RAMANAGARA DISTRICT - 562 126

10. SUNAHDAMMA
AGED ABOUT 64 YEARS
W/O LATE SIDDAIAH,
D/O LATE BOREGOWDA
NO.367, 2ND STAGE, 2ND CROSS
MUNESHWARANAGAR,
UDAYAGIRI, MYSORE - 570 019
11. SHIVALINGAMMA,
AGED ABOUT 62 YEARS
W/O NINGEGOWDA
D/O PUTTAMARIGOWDA
R/AT SOREKAI DODDI,
SATHANOORU HOBLI,
KANAKAPURA TALUK
RAMANAGARA DISTRICT - 562 126
12. SMT. DEVAMMA,
AGED ABOUT 63 YEARS
W/O SOMARAGEGOWDA
D/O LATE JOGIGOWDA
R/AT ODU BASAPPANADODDI
HALAGURU HOBLI,
MALAVALLI TALUK - 571 430
- HOMBALE GOWDA
(SINCE DEAD BY LR'S)
13. PUTTEGOWDA,
AGED ABOUT 51 YEARS
S/O LATE HOMBALE GOWDA



14. MUTHURAJU S.H.
AGED ABOUT 34 YEARS
S/O LATE. HOMBALE GOWDA

APPELLANTS NO.13 TO 14 ARE
R/AT SOREKAYIDODDI VILLAGE,
SATHANOORU HOBLI,
KANAKAPURA TALUK,
RAMANAGARA DISTRICT- 562 126

...APPELLANTS

(BY SMT. LAKSHMAMMA S.B., ADVOCATE)

AND:

1. JAYARATHNA
D/O KARIGOWDA
W/O RAJU,
AGED ABOUT 40 YEARS
R/A AT MUTTENAHALLI VILLAGE,
MANDYA DISTRICT
2. SRI. JAVARAIGOWDA
S/O JAVARAIGOWDA @ PUTTA,
AGED ABOUT 55 YEARS
3. SRI. CHANDRA
S/O HOMBALE GOWDA
AGED ABOUT 44 YEARS
4. SMT. SAROJAMMA,
D/O HOMBALE GOWDA,
AGED ABOUT 40 YEARS
6. SUNANDAMMA
AGED ABOUT 50 YEARS
D/O LATE HOMBALE GOWDA
7. SMT. PREMA
AGED ABOUT 42 YEARS



D/O LATE. HOMBALE GOWDA

RESPONDENTS NO.2 TO 7 ARE
R/AT ANEGOWDANA DODDI
SOREKAI DODDI VILALGE,
SATHANOORU HOBLI,
K KANAKAPURA TALUK
RAMANGARA DISTRICT - 562 126

SRI. KARLYAPPA S/O BOREGOWDA
(DIED ON 10.8.2021 BY LR'S)

8. SMT. GOWRAMMA
AGED 65 YEARS,
W/O LATE MR. KARIYAPPA
9. SMT. BHARATHI
AGED 53 YEARS
W/O LATE MR. SURESH
D/O LATE MR. KARIYAPPA
10. SMT. SUJI @ SUJATHA
AGED 50 YEARS
W/O MR. SHIVALINGEGOWDA
D/O LATE MR. KARIYAPPA
11. SMT. SUMA
AGED 48 YEARS
W/O MR. CHANDRE GOWDA
D/O LATE MR. KARIYAPPA
12. SMT. MEENA
AGED 46 YEARS
W/O MR. RAMAKRISHNA
D/O LATE MR. KARIYAPPA
13. MR. LOKESH
AGED 42 YEARS
S/O LATE MR. KARIYAPPA



14. SRI. PUTTASWAMY
GOWDA S/O BOREGOWDA,
AGED ABOUT 55 YEARS.

RESPONDENTS NO.8 TO 14 ARE
R/O SOREKAI DODDI,
SATHANOORU POST AND HOBLI,
KANAKAPURA TALUK,
RAMANAGARA DISTRICT - 562 126

SMT. ARASAMMA W/O. KENCHEGOWDA
SINCE DEAD BY HER LR

15. SMT. DEVAMMA
W/O LATE KARIYAPPA,
D/O ARASAMMA

16. SMT. KENCHAMMA
W/O SIDDEGOWDA
D/O ARASAMMA,
AGED ABOUT 54 YEARS

17. SMT. MARIYAMMA
W/O LATE RAMEGOWDA,
D/O ARASAMMA
AGED ABOUT 52 YEARS

18. SMT. SIDDAMMA
W/O LATE LAKSHMANA,
AGED ABOUT 50 YEARS.

RESPONDENTS NO.15 TO 18 ARE
R/O NO. 19-30/A2, C/O LOKESH DRIVER,
MUNIYAPPA COMPOUND, RMV-2ND STAGE,
KANNURAMMA TEMPLE STREET,
DEVINAGARA, ANGALORE 94

19. SMT. PUTTA LAKSHMAMMA
W/O LATE RAJANNA



AGED ABOUT 60 YEARS

20. DARSHAN
AGED ABOUT 35 YEARS
S/O LATE RAJANNA

21. DIVYA MADUSUDHAN
AGED ABOUT 30 YEARS
D/O LATE RAJANNA

RESPONDENTS NO.19 TO 21 ARE
R/AT NO.8, TEJA LAYOUT
MAHADEVAPURA LAYOUT
NEAR GANGAMMA TEMPLE
BENGALURU- 560 048

SRI. JAVARAIGOWDA
S/O LATE JAWARAVI GOWDA DEAD HIS LRS

SMT PARVATHAMMA W/O LATE JAVARAIGOWDA,
AGED ABOUT 65 YEARS
(DIED ON 10.2.2018, HER LRS AS ALREADY ON
22. RECORD AS 3RD PLAINTIFF DEFENDANT-5(B), 5(C)

SMT. CHANDRAKALA
W/O RAMALINGALAH,
AGED 46 YEARS
RESIDING AT SOREKAYIDODDI,
SATHANOORU HOBLI,
KANAKAPURA TALUK
RAMANAGARA DISTRICT- 562 126

SMT. SIDDAMMA D/O HOMBALE GOWDA
(DIED ON 26.2.2024, HER LRS ARE ALREADY ON
RECORD AS 4TH PLAINTIFF, 5TH PLAINTIFF,
DEFENDANTS-21 AND 22)

SRI. PUTTAMARIGOWDA S/O LATE JAWARAIGOWDA,
DIED ON 08.10.2023, AFTER PRONOUNCEMENT OF
JUDGMENT BY THE TRIAL COURT



HIS TWO FEMALE CHILDREN ARE ALREADY ON
RECORD AS PLAINTIFFS-6 AND 12

SRI HOMBALE GOWDA S P NAGARAJ (DIED WITHOUT
MARRIAGE)

24.

SRI HOMBALE GOWDA
S/O JAVARAIGOWDA SINCE DEAD BY LRS

SMT. SHIVALINGAMMA
W/O CHIKKTHIMAIAH,
AGED ABOUT 50 YEARS,
BOREGOWDANADODDI,
SATHANOORU HOBLI,
KANAKAPURA TALUK
RAMANAGARA DISTRICT - 562 126

25. SR. RAMESH
S/O HOMBALE GOWDA
AGED ABOUT 48 YEARS

26. SRI. PUTTA RAJU
S/O HOMBALE GOWDA
AGED ABOUT 52 YEARS

27. SMT. PREMA
AGED 49 YEARS
W/O LATE MR. RAMANNA

28. MR. MANU S.R.
AGED 31 YEARS
S/O LATE MR. RAMANNA

29. MR. ANU S.R
AGED 31 YEARS
D/O LATE MR. RAMANNA

30. SRI. LAKSHMANA
S/O HOMBALE GOWDA



AGED ABOUT 44 YEARS

31. SMT. PUTTA SIDDAMMA
AGED ABOUT 66 YEARS
W/O LATE JAVAREGOWDA,
32. SMT. SHIVARATHNAMMA
AGED ABOUT 50 YEARS
W/O LATE SURESH
D/O LATE JAVAREGOWDA,
33. SMT. LAKSHMI
AGED ABOUT 30 YEARS
W/O KANTHARAJU
D/O LATE JAVAREGOWDA.
34. SMT. SWETHA
AGED ABOUT 32 YEARS
W/O NANJUNDEGOWDA
D/O LATE JAVAREGOWDA,

RESPONDENTS NO.25 TO 34 ARE
RESIDENTS OF SOREKAI DODDI,
SATHANOORU POST AND HOBLI,
KANAKAPURA TALUK.
RAMANAGARA DISTRICT - 562 126

MR. HOMBALE GOWDA
S/O JOGIGOWDA SINCE DEAD BY LR'S

35. SMT. PADMAMMA
AGED ABOUT 55 YEARS
W/O LATE HOMBALE GOWDA
36. SRI. RAMACHANDRA
S/O LATE HOMBALE GOWDA,
AGED ABOUT 38 YEARS
38. SMT. ROOPA
W/O LOKESH



AGED ABOUT 32 YEARS

RESPONDENTS NO.35 TO 38 ARE
R/AT NO. 171/1, VIVEKANANADANAGARA,
3RD STREET, KANAKAPURA TOWN,
RAMANAGARA DISTRICT - 562 126

39. SRI. CHIKKA MARIGOWDA,
S/O JOGIGOWDA,
AGED ABOUT 44 YEARS

40. SRI. NAGARAJ,
S/O JOGIGOWDA,
AGED ABOUT 50 YEARS

RESPONDENTS NO.39 TO 40 ARE
RESIDENTS OF ANKEGOWDANADODDI
SOREKAI DODDI VILLAGE
SATHNUR HOBLI, KANAKAPURA TALUK
RAMANAGARA DISTRICT - 562 126

41. SRI R. SHEKAR,
S/O. LATE S.P. RANGASWAMY,
AGED ABOUT 71 YEARS
R/AT NO. 120, HOODI APARTMENTS,
CUNNINGHAM ROAD
BENGALURU - 560 052

42. SRL. N.C. RAMU,
PROPRIETOR,
M/S SUDARSHAN GRANITES
NO.34, 'A', 17TH CROSS,
6TH PHASE, JP NAGARA
BENGALURU - 560 078

SMT. MARIYAMMA W/O LINGE GOWDA
(DEAD BY LRS)



43. VASU H.L
S/O LINGE GOWDA @ LINGAIAH
AGED ABOUT 69 YEARS
44. SMT. SUNITHAMMA
D/O LINGE GOWDA @ LINGAIAH
AGED ABOUT 67 YEARS
45. SMT. BHARATHI
D/O LINGE GOWDA @ LINGAIAH
AGED ABOUT 67 YEARS
46. RAGHU S
S/O LINGE GOWDA @ LINGAIAH
AGED ABOUT 35 YEARS
47. SMT. NIVEDITHA
D/O LINGE GOWDA @ LINGAIAH
AGED ABOUT 29 YEARS

RESPONDENTS NO.43 TO 47 ARE
R/AT BOLAMALLAPPANA DODDI VILLAGE
UYYAMBALLI HOBLI, KANAKAPURA TALUK
RAMANAGARA DISTRICT - 562 126

48. SMT. SUSHEELAMMA
AGED ABOUT 46 YEARS
W/O MR. KEMPA GOWDA
49. SMT. SAROJA
W/O LOKESH
AGED ABOUT 42 YEARS
50. SMT. MAYAMMA
W/O LATE SIDDEGOWDA
AGED ABOUT 70 YEARS
51. SRI. VENKATARAJU
S/O KARIGOWDA,



AGED ABOUT 73 YEARS

52. SRI. KENCHE GOWDA
S/O KARIGOWDA,
AGED ABOUT 71 YEARS

53. SMT. PUTTAMMA
W/O HOMBALE GOWDA,
AGED ABOUT 61 YEARS

54. SRI. PUTTARAJU @ GANDHI
S/O KARIGOWDA,
AGED ABOUT 65 YEARS

RESPONDENTS NO.48 TO 54 ARE
R/AT SOREKAI DODDI VILLAGE
SATHANOORU HOBLI, KANAKAPURA TALUK,
RAMANAGARA DISTRICT - 562 126

55. SRI. PUTTASWAMY
S/O LATE MUNEGOWDA,
AGED ABOUT 50 YEARS

56. SRI. SHIVA
S/O LATE MUNEGOWDA, AGED ABOUT 47 YEARS

RESPONDENTS NO.55 TO 56 ARE
R/AT DALIMBA VILLAGE, SATHANOORU HOBLI,
KANAKAPURA TALUK.
RAMANAGARA DISTRICT - 562 126

57. SMT. GOWRAMMA
W/O LATE MARIGOWDA
AGED ABOUT 70 YEARS
DAUGHTER IN LAW TO LATE MAYAMMA, AND
SRI. CHIKKACHENNE GOWDA



AGED ABOUT 60 YEARS

58. SRI. NATARAJA
S/O LATE MARIGOWDA
AGED ABOUT 42 YEARS

59. SRI. PUTTARAJA
S/O LATE MARIGOWDA
AGED ABOUT 42 YEARS

RESPONDENTS NO.58 AND 59 ARE
R/AT RAMANAGARA MIAN ROAD,
IJOOR, RAMANAGARA TOWN,
RAMANAGAR DISTRICT - 562 126

60. KENCHE GOWDA
AGED ABOUT 75 YEARS
S/O LATE CHIKKACHENNE GOWDA
AND MAYAMMA
R/AT SOREKAI DODDI VILLAGE
SATHANOORU HOBLI
KANAKAPURA TALUK.
RAMANAGARA DISTRICT - 562 126

61. SMT. JAYAMMA
W/O MARIGOWDA,
AGED 65 YEARS,
D/O LATE MUNEGOWDA AND
LATE SMT. SIDDAMMA,
R/AT BHUVALLI VILLAGE,
SATHANOORU HOBLI,
KANAKAPURA TALUK.
RAMANAGARA DISTRICT - 562 126

62. SMT. YESHODAMMA
W/O MUNIBOREGOWDA,



D/O LATE MUNEGOWDA
AND LATE SMT. SIDDAMMA,
AGED ABOUT 62 YEARS,
RESIDING AT SATHANOORU
SATHANOORU HOBLI,
KANAKAPURA TALUK.
RAMANAGARA DISTRICT - 562 126

63. SMT. CHIKKATHAYAMMA,
W/O KEMPEGOWDA,
AGED ABOUT 58 YEARS,
D/O LATE MUNEGOWDA, AND
SMT. SIDDAMMA,
RESIDING AT DALIMBA VILLAGE,
SATHANOORU HOBLI,
KANAKAPURA TALUK.
RAMANAGARA DISTRICT - 562 126

64. MR. CHINDEGOWDA
S/O LATE KULLEGOWDA (SINCE DEAD BY LR'S)
SMT. SHARADAMMA
AGED 65 YEARS,
W/O LATE MR. CHINDEGOWDA

65. MR. MUTHURAJU
AGED 45 YEARS
S/O LATE MR. CHINDEGOWDA

66. MR. RAVI
AGED 42 YEARS
S/O LATE MR. CHINDEGOWDA

67. MR. PUTTEGOWDA @ PUTTARAJU
AGED 38 YEARS
S/O LATE MR. CHINDEGOWDA

68. SMT. JAYARATHNA
AGED 36 YEARS



D/O LATE MR. CHINDEGOWDA

69. SMT. MANGALA
AGED 36 YEARS
D/O LATE MR. CHINDEGOWDA

RESPONDENTS NO.64 TO 69 ARE
R/A SOREKAI DODDI VILLAGE
SATHANOORU POST AND HOBLI,
KANAKAPURA TALUK.
RAMARIAGARA DISTRICT - 561 261

MR. MARIGOWDA SINCE DEAD BY LR'S

70. SMT. LALITHAMMA
W/O LATE MARIGOWDA @ HORIMARIGOWDA
AGED ABOUT 68 YEARS
71. MR. SIDDARAJU
S/O LATE MARIGOWDA @ HORIMARIGOWDA
AGED ABOUT 49 YEARS
72. MR. NAGESHA
S/O LATE MARIGOWDA @ HORIMARIGOWDA
AGED ABOUT 44 YEARS
73. SMT. KALPANA
D/O LATE MARIGOWDA @HORIMARIGOWDA
AGED ABOUT 42 YEARS

RESPONDENTS NO.70 TO 73 ARE
R/AT HONNEGANAHALI VILLAGE,
SATHANOORU HOBLI
KANAKAPURA TALUK
RAMANAGARA DISTRICT - 562 126

74. SMT. CHIKKATHAYAMMA,
AGED ABOUT 58 YEARS,



W/O LATE KEMPEGOWDA

75. MR. PRASHANTH
AGED ABOUT 38 YEARS
S/O LATE KEMPANNA AND SMT. CHIKKATHAYAMMA
76. MR. SIDDARAJU
AGED ABOUT 36 YEARS
S/O LATE KEMPANNA AND SMT. CHIKKATHAYAMMA
- MR. VISHWESHA
S/O. LATE SIDDEGOWDA
SINCE DEAD BY LRS
77. SMT. JAYAMMA
AGED ABOUT 64 YEARS
W/O LATE MR. VISWESHA
78. MR. UMESHA
AGED ABOUT 44 YEARS
S/O LATE MR. VISWESHA
79. MR. GIRISHA
AGED ABOUT 42 YEARS
S/O LATE MR. VISWESHA

R-74 TO R-79 ARE R/AT HONNEGANAHALI VILLAGE,
SATHANOORU HOBLI KANAKAPURA TQ,
RAMANAGARA DISTRICT-562 126.

80. SMT. RAJAMMA,
AGED ABOUT 60 YEARS
W/O HOMBALE GOWDA
D/O LATE SIDDEGOWDA AND NINGAMMA
RESIDING AT SOREKAI DODDI VILLAGE
SATHANOORU HOBLI, KANAKAPURA TQ,
RAMANAGARA DISTRICT-562 126
81. SMT. GOWRAMMA



AGED ABOUT 64 YEARS
W/O LATE KULLEGOWDA
D/O LATE SIDDEGOWDA AND NINGAMMA
R/AT B.S. DODDI VILLAGE KASABA HOBLI,
KANAKAPURA TQ,
RAMANAGARA DISTRICT - 562 126

MR. SHIVAKUMAR S/O. LATE KADEGOWDA
SINCE DEAD BY LEGAL REPRESENTATIVES

82. MR. SIDDALINGANNA
AGED ABOUT 65 YEARS
S/O LATE KADEGOWDA AND CHIKKOLAMMA
83. SMT. SMT. LAKSHMI @ LAKSHMAMMA
AGED 44 YEARS
W/O LATE MR. SHIVAKUMAR
84. MR. PAVAN KUMAR
AGED 31 YEARS
S/O LATE MR. SHIVAKUMAR
85. MR. RAGHAVENDRA
AGED 28 YEARS
S/O LATE MR. SHIVAKUMAR
86. MR. CHANDRA
AGED ABOUT 55 YEARS
S/O LATE KADEGOWDA AND CHIKKOLAMMA
87. MR. LINGANNA
AGED ABOUT 50 YEARS
S/O LATE KADEGOWDA AND CHIKKOLAMMA
88. SMT. PREMA
AGED ABOUT 52 YEARS
D/O LATE KADEGOWDA AND CHIKKOLAMMA
W/O HANUMAIAH



89. SMT. LAKSHMI
AGED ABOUT 50 YEARS
D/O LATE KADEGOWDA AND CHIKKOLAMMA
W/O MR. NAGANNA

RESPONDENTS NO.82 TO 89 ARE
RESIDING AT NO. 575,
SWARNASANDRA MANDYA TOWN,
MANDYA - 571 114

90. SMT. LALITHAMMA
AGED ABOUT 62 YEARS
D/O LATE. KADEGOWDA AND CHIKKOLAMMA,
W/O SWAMY

RESIDING AT LINGAPATNA VILLAGE,
HALAGURU HOBLI, MALAVALLI TQ,
MANDYA DISTRICT - 571 114

...RESPONDENTS

THIS RFA IS FILED UNDER SECTION 96 OF CPC.,
AGAINST THE JUDGMENT AND DECREE DATED 28.09.2022
PASSED IN OS NO.3/2014 ON THE FILE OF SENIOR CIVIL
JUDGE AND JMFC, KANAKAPURA., DISMISSED THE SUIT FOR
PARTITION AND SEPARATE POSSESSION.

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

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL JUDGMENT

Learned counsel for the appellants has filed a memo
seeking withdrawal of the appeal with liberty to file an appeal
before the jurisdictional Appellate Court since the value of the



subject matter of the appeal is less than Rs.10,00,000/-.

2. Memo is placed on record.

3. Appeal is disposed of as withdrawn, reserving liberty in favour of the appellants to file an appeal before the jurisdictional Appellate Court. If such an appeal is filed within a period of six weeks from today, the appellants would be entitled to the benefit under Section 14 of the Limitation Act.

4. Registry is directed to return all the documents/records to the appellants forthwith, to enable the compliance of this order. Registry is also to refund the entire Court fee paid on Memorandum of Appeal to the appellants without any delay.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE

BSV
CT-SG/List No.: 1 Sl No.: 31