



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 23RD DAY OF FEBRUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE M.G.S. KAMAL
WRIT PETITION NO. 21695 OF 2023 (GM-RES)

BETWEEN:

1. SMT.KAMALAMMA @ KAMALA
D/O. LATE A. SIDDAGANGAMMA
W/O. LATE VASANTHKUMAR
AGED ABOUT 56 YEARS
R/AT NO.144, 4TH MAIN ROAD
GOVINDARAJANAGAR
VIJAYANAGAR
BENGALURU - 560 040.

...PETITIONER

(BY SMT.SHARANYA.H.R., ADVOCATE FOR
SRI GANGADHARAIHA A.N., ADVOCATE)

AND:

1. SMT. BHAGYAMMA
AGED ABOUT 68 YEARS
D/O. LATE ADAVIYAPPA
W/O. LATE GURUSIDDAPPA
R/AT: NO.1/1, 17TH 'B' CROSS
PAPAIHA GARDEN,
KHB COLONY, 2ND STAGE
BASAVESHWARANAGAR
BENGALURU - 560 079.
2. SRI P. SIDDALINGAPPA
AGED ABOUT 67 YEARS
S/O. LATE PUTTAVERAPPA
R/AT NO.3/4, 3RD MAIN ROAD
SANJEEVINI NAGARA
MOODALAPALYA
BENGALURU - 560 072.
3. SMT. SIDDALINGAMMA





AGED ABOUT 58 YEARS
D/O. PUTTAVEERAPPA
W/O. SRI LINGAPPA
R/AT NO.57, 4TH CROSS
2ND MAIN, KAMAKSHIPALYA
NEAR SIDDARTHA HIGH SCHOOL
BASAVESHWARANAGARA
BENGALURU - 560 079.

4. SRI CHANNASIDDAPPA P.
AGED ABOUT 55 YEARS
S/O. LATE PUTTAVEERAPPA
R/AT NO.209, KODIGEHALI
BENGALURU NORTH
BENGALURU - 560 091.
5. SRI K.P. MANJUNATH
AGED ABOUT 50 YEARS
S/O. LATE PUTTAVEERAPPA
R/AT NO.18, NEAR PAVITHRA-
RASHTRIYA VIDYALAYA
RAYARADODDI
RAMANAGARAM TOWN
RAMANAGARAM - 562 159.
6. SRI L.UMESH
AGED ABOUT 63 YEARS
S/O. LATE A. LINGANNA
R/AT NO.291, 3RD CROSS
JAGAJYOTHI BADAVANE
KENCHANAPURA CROSS
JNANABHARATHI POST
BENGALURU - 560 056.
7. SRI PALANETHRA.L
AGED ABOUT 59 YEARS
S/O. LATE A.LINGANNA
R/AT HOUSE NO.4
4TH CROSS, GARDEN VILLAS
MARUTHI NAGARA
NAGARABHAVI ROAD



BENGALURU - 560 072.

8. SMT. SHAILAJA L
AGED ABOUT 55 YEARS
D/O. LATE A LINGANNA
W/O. DR. N. M. RENUKAPPA
R/AT NO.6, 28TH BLOCK
JSS LAYOUT, MYSURU - 570 011.
9. SRI L. KEERTHIKUMAR
AGED ABOUT 47 YEARS
S/O. LATE A LINGANNA
R/AT NO.330, 8TH CROSS
AROGYA LAYOUT
SHREEGANDHADA KAVAL
VISHWANEEDAM POST
BENGALURU - 560 091.
10. SRI A. SHIVANNA
AGED ABOUT 78 YEARS
S/O. LATE. ADVIYAPPA
R/AT KODIGEHALI VILLAGE
KODIGEHALI POST
YASHVANTHAPURA HOBLI
BENGALURU - 560 091.
11. SRI K.S. ADAVEESH
AGED ABOUT 58 YEARS
S/O. SRI A. SHIVANNA
R/AT KODIGEHALI VILLAGE
KODIGEHALI POST
YASHVANTHAPURA HOBLI
BENGALURU - 560 091.
12. SRI K.S. SATHISH
AGED ABOUT 55 YEARS
S/O. SRI A. SHIVANNA
R/AT KODIGEHALI VILLAGE
KODIGEHALI POST
YASHVANTHAPURA HOBLI
BENGALURU - 560 091.



13. SRI K.S. CHANDRASHEKAR
AGED ABOUT 53 YEARS
S/O. SRI A. SHIVANNA
R/AT KODIGEHALI VILLAGE
KODIGEHALI POST
YASHVANTHAPURA HOBLI
BENGALURU - 560 091.
14. SRI J.LOKESH
AGED ABOUT 47 YEARS
S/O. LATE A. JAYANNA,
R/AT NO.335, 5TH A MAIN ROAD
REMKO LAYOUT, VIJAYANAGARA
BENGALURU - 560 040.
15. SRI J. CHANDRASHEKAR @ CHANDRA
AGED ABOUT 42 YEARS
S/O. LATE A. JAYANNA
R/AT FLAT NO.B-402
K.V. ORCHIDS, NO.2615/119
ULLALU MAIN ROAD
NAGADEVANAHALLI
BENGALURU - 560 056.
16. SMT.S. SUJATHA
AGED ABOUT 49 YEARS
D/O .SRI A. SHIVANNA
R/AT KODIGEHALI VILLAGE
KODIGEHALI POST
YASHVANTHAPURA HOBLI
BENGALURU - 560 091.

...RESPONDENTS

(BY SRI JAGADEES H.P., ADVOCATE FOR R1 TO R5;
R6 IS SERVED AND UNREPRESENTED;
SRI THEJESH P., ADVOCATE FOR R7 TO R16)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF
THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE
LOK ADALATH ORDER OF RECORDING COMPROMISE AND
DECREE DATED 11.02.2023 PASSED IN O.S.NO. 325/2022 AS
PER ANNEXURE-A ON THE FILE OF PRINCIPAL SENIOR CIVIL



JUDGE, BENGALURU RURAL DISTRICT AT BENGALURU AND CONSEQUENTLY RE-OPEN THE SUIT AND PERMIT THE PETITIONER TO CONTEST THE SUIT IN O.S.NO.325/2022 AS PER LAW ON MERITS.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

The petitioner is before this Court being aggrieved by the order dated 11.02.2023 passed by the Lok-Adalat as per Annexure-A, accepting the compromise entered into amongst the plaintiff and the defendants in O.S.No. 325/2022, which was filed for partition and separate possession.

2. The petitioner, who claims to be the daughter of one late A.Siddagangamma, who is the third plaintiff in the said suit. Petitioner has not been made a party to the said suit.

3. According to the petitioner, the propositor one Sri Adaviyappa and his wife Channaveeramma, had two daughters and three sons, namely, (1) A.Siddagangamma,



(2) A.Chennamma, (3) A.Lingannaradya @ Linganna, (4) A.Shivanna and (5) A.Jayyanna. That the suit schedule property belonged to said Adaviyappa. The first daughter of A. Siddagangamma passed away leaving behind the petitioner herein and her two brothers, namely Sri Lokesh V. and Gowrish V. As such, the petitioner, being a legal representative of A. Siddagangamma, has a share, right, title and interest in the suit schedule property. However, she has not been made a party to the suit. The suit, having been filed for partition, was compromised before the Lok Adalat without petitioner being made a party; as such, the present petition has been filed.

4. Learned counsel for respondents submits that though the petitioner appears to have made out a case for consideration, despite being invited by the respondents to join in as party, it has been the consistent and persistent stand of the petitioner that she would neither require any share in the property nor would she interfere with the property. It was under those circumstances that the



parties proceeded to compromise in the matter. He fairly submits that as the petitioner is questioning the very compromise while claiming her rights, the matter may be remanded, giving an opportunity to the parties to raise all questions, including the petitioner's claim to be the legal representative of the said A. Siddagangamma.

5. His submission is placed on record.

6. In view of the above factual aspect of the matter, the following:

ORDER

- i. The petition is ***allowed***;
- ii. Impugned order of recording compromise decree dated 11.02.2023 passed in O.S.NO.325/2022 by the Principal Senior Civil Judge, Bengaluru Rural District, Bengaluru as per Annexure-A is set aside. The suit in O.S.NO.325/2022 is restored to the file.



- iii. The petitioner shall be impleaded as a party defendant in the said suit.
- iv. After affording an opportunity to the parties, the trial Court shall dispose of the matter in accordance with law;
- v. It is made clear that whatever claims the parties may have shall be subject to the outcome of this suit.
- vi. All contentions are kept open.

Sd/-
(M.G.S. KAMAL)
JUDGE

CPN
List No.: 1 Sl No.: 10