



**IN THE HIGH COURT OF KARNATAKA**

**KALABURAGI BENCH**

**DATED THIS THE 25<sup>TH</sup> DAY OF FEBRUARY, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR**

**WRIT PETITION NO.200046 OF 2026 (GM-CPC)**

**BETWEEN:**

CHIDANAND S/O DYAMANNA BIRADAR,  
AGE: 39 YEARS, OCC: AGRICULTURE,  
R/O GONAL S. H. TQ. MUDDEBIHAL  
DIST. VIJAYAPURA-586212.

...PETITIONER

(BY SRI. SANDEEP VIJAYKUMAR, ADVOCATE)

**AND:**

1. DYAMANNA S/O HULAGAPPA BIRADAR,  
AGE: 87 YEARS, OCC: AGRICULTURE,  
R/O GONAL S. H., TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.
2. REVANSIDDAPPA  
S/O DYAMANNA BIRADAR,  
AGE: 37 YEARS, OCC: AGRICULTURE,  
R/O GONAL S H, TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.
3. MUTTANNA  
S/O DYAMANNA BIRADAR,  
AGE: 35 YEARS, OCC: PRIVATE DRIVER  
R/O GONAL S. H., TQ.MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.





4. BHEEMANNA  
S/O HULAGAPPA BIRADAR,  
AGE: 57 YEARS, OCC: AGRICULTURE,  
R/O GONAL S. H., TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.
5. SABANNA  
S/O HULAGAPPA BIRADAR,  
AGE: 58 YEARS, OCC: AGRICULTURE,  
R/O GONAL S. H., TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.
6. BASALINGAMMA  
W/O HULAGAPPA NAGAVI,  
AGE: 72 YEARS, OCC: HOUSEHOLD  
R/O GONAL S. H., TQ. MUDDEBIHAL,  
DIST.VIJAYAPURA-586242.
7. SANGAPPA  
S/O YAMANAPPA NAGARBETTA,  
AGE: 58 YEARS, OCC: AGRICULTURE  
R/O GONAL S. H., TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.
8. NEELAVVA W/O BASAPPA BIRADAR  
AGE: 62 YEARS, OCC: HOUSEHOLD  
R/O MADIKESHWAR, TQ. TALIKOTI,  
DIST. VIJAYAPURA-586212.
9. HANAMAWWA  
W/O SIDDAPPA JANGODI,  
AGE: 52 YEARS, OCC: HOUSEHOLD  
R/O GONAL S H, TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.
10. SHEKHAPPA  
S/O AMARAPPA BIRADAR  
AGE: 36 YEARS,  
OCC: MEDICAL PRACTITIONER  
R/O GONAL S. H., TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.



11. SANGAPPA  
S/O SIDRAMAPPA BIRADAR  
AGE: 47 YEARS, OCC: AGRICULTURE  
R/O GONAL S H, TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.
12. BHEEMANNA  
S/O BASAPPA BIRADAR  
AGE: 34 YEARS, OCC: AGRICULTURE  
R/O GONAL S H,  
TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.
13. SHANKREPPA  
S/O AMARAPPA BIRADAR  
AGE: 68 YEARS,  
OCC: AGRICULTURE  
R/O GONAL S H,  
TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.
14. SHIVAPPA  
S/O AMARAPPA BIRADAR  
AGE: 66 YEARS, OCC: AGRICULTURE  
R/O GONAL S H, TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.
15. YAMANAPPA  
S/O AMARAPPA BIRADAR  
AGE: 53 YEARS, OCC: AGRICULTURE  
R/O GONAL S. H., TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.
16. SIDDAPPA  
S/O TIPPANNA BIRADAR  
AGE: 38 YEARS,  
OCC: AGRICULTURE  
R/O GONAL S H, TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.



17. YAMANAPPA  
S/O BALAPPA BIRADAR  
AGE: 57 YEARS,  
OCC: AGRICULTURE  
R/O GONAL S. H.,  
TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.
18. SIDDAPPA  
S/O SHIVAPPA BIRADAR  
AGE: 54 YEARS,  
OCC: AGRICULTURE  
R/O GONAL S H,  
TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.
19. ANJANADEVI  
W/O BHEEMAPPA BIRADAR,  
AGE: 47 YEARS, OCC: HOUSEHOLD  
R/O GONAL S. H.,  
TQ. MUDDEBIHAL,  
DIST. VIJAYAPURA-586212.

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE WRIT OF CERTIORARI QUASHING THE IMPUGNED COMPROMISE DECREE DATED 16.02.2024 IN O.S.NO.10/2024 ON THE FILE OF CIVIL JUDGE AND JMFC AT MUDDEBIHAL AS PER ANNEXURE-C.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR



**ORAL ORDER**

Heard the learned counsel for the petitioner.

2. This petition is filed by the petitioner seeking to quash the compromise decree dated 16.02.2024 passed in O.S.No.10/2024 by the Civil Judge and JMFC Court at Muddebihal, as per Annexure-C.

3. This Court does not find the need or necessity to issue notice to the respondents who are the defendants in the trial Court for the following reasons.

4. The petitioner herein was a plaintiff in the original suit in O.S.No.10/2024. During the pendency of the suit, compromise petition was filed by the parties. The same was accepted by the learned Civil Judge and JMFC Court at Muddebihal, and a compromise decree came to be passed. It is this compromise decree that is questioned by the petitioner/plaintiff on the ground that the compromise decree is arbitrary, illegal and against the law and that fraud has been played upon the plaintiff before the trial



Court and in the compromise petition, the defendants had initially agreed to provide one third share, but while complying the terms of the compromise, they are not providing the same. In view of the fraud and illegality committed in the compromise, the petitioner is before this Court.

5. On perusal of the writ papers, this Court is of the opinion that the present petition cannot be entertained as the petitioner would have to approach the very same Court which passed the compromise decree, if he is aggrieved by the compromise decree on the ground that there being fraud played by the defendants in execution of the compromise petition.

6. The judgment of the Hon'ble Apex Court in the case of ***Triloki Nath Singh v. Anirudh Singh (D) through Lrs. and Ors.,*** reported in ***AIR 2020 Supreme Court 2111*** is followed by the Hon'ble Apex Court in the case of ***Shri Mukund Bhavan Trust and Ors. v.***



***Srimanth Chhatrapati Udyan Raje Pratasinh Maharaj***

***Bhonsle and Another***, reported in ***(2024) 15 SCC 675***

wherein the Hon'ble Apex Court has clearly laid down that any challenge to the compromise petition will have to be agitated before the very same Court which passed the compromise decree and the present petition would not be maintainable.

7. Accordingly, I pass the following:

**ORDER**

This petition is disposed of.

Liberty is reserved to the petitioner to approach the very same Court which passed the compromise decree to challenge the compromise decree, if he is so aggrieved. If such an application or petition is filed, the same shall be accepted and proceeded further in accordance with law.

**Sd/-**  
**(PRADEEP SINGH YERUR)**  
**JUDGE**

NB  
LIST NO.: 1 SL NO.: 10  
CT:SI