

Karnataka High Court Sri. S V Ramaswamy Reddy vs Sri. S.M. Narayana Reddy on 27 June, 2013 Author: K.N.Keshavanarayana 1

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 27th DAY OF JUNE 2013

BEFORE

THE HON'BLE MR.JUSTICE K.N.KESHAVANARAYANA

R.F.A.NO.1792 OF 2012

BETWEEN:

1. SRI.S.V.RAMASWAMY REDDY S/O LATE S.M.VEMA REDDY
AGED ABOUT 69 YEARS
2. SRI.S.M.ESWARA REDDY S/O S.V.MUNISHAMAIAH AGED ABOUT
75 YEARS
REPRESENTED BY THEIR GPA HOLDER OF SRI.S.E.RAMESH S/O
S.M.ESHWARA REDDY R/AT SULIKUNTE VILLAGE VARTHUR
HOBLI BANGALORE EAST TALUK BANGALORE - 560 082 ...
APPELLANTS

[BY SRI.RAGHU PRASAD B.S., ADV.,]

AND:

1. SRI.S.M.NARAYANA REDDY S/O LATE MOTAPPA AGED ABOUT
82 YEARS
2. S.N.KRISHNA REDDY 2

S/O LATE MOTAPPA AGED ABUOT 75 YEARS

BOTH R/AT KALENAHALLI CHIKCKMALUR POST MADUGIRI TALUK
- 572 132 TUMKUR DISTRICT

3. SMT. AKKAMMA W/O THIMMA REDDY @ CHIKKAPAPANNA
AGED ABOUT 71 YEARS R/AT VEERAPURA VILLAGE CHIKKA-
MALUR POST MADUGIRI TALUK - 572 132 TUMKUR DISTRICT
4. SMT.EARAMMA W/O MUNISWAMY D/O LATE S.V.MOTAPPA
AGED ABOUT 69 YEARS R/AT THYAVAKANAHALLI BIDARAGUPPA
POST ANEKAL TALUK BANGALORE DISTRICT - 562 107

5. SMT.MUNIYAMMA @ CHALLAMMA W/O VENKATASWAMY REDDY D/O LATE S.V.MOTAPPA AGED ABOUT 67 YEARS R/AT RAMASAGARA VILLAGE MUTHANALLUR POST ANEKAL TALUK BANGALORE DISTRICT - 560 099
6. SRI.S.B.NAGARAJU S/O LATE BHADRAIAH AGED ABOUT 68 YEARS R/AT SULIKUNTE VILLAGE VARTHUR HOBLI DOMMASANDRA POST BANGALORE EAST TALUK BANGALORE - 560 087 3
7. NAGAPPA S.M. S/O S.V.MUNISHAMMAIAH AGED ABOUT 85 YEARS (DEAD) LR'S NOT BROUGHT ON RECORD AS PER SL.NO.3 OF JUDGMENT @ PG 5
8. SRI.S.M.RAMALINGA REDDY S/O S.V.MUNISHMAIAH AGED ABOUT 81 YEARS (DEAD AFTER JUDGMENT) RESPONDENTS 7 & 8 ARE R/AT: SULIKUNTE VILLAGE VARTHUR HOBLI BANGALORE EAST TALUK BANGALORE - 560 082.

...RESPONDENTS

THIS R.F.A IS FILED UNDER SECTION 96 OF THE CODE OF CIVIL PROCEDURE WITH A PRAYER TO CALL FOR THE RECORDS IN O.S.NO.1613/2005 ON THE FILE OF II ADDITIONAL SENIOR CIVIL JUDGE, BANGALORE RURAL DISTRICT, BANGALORE AND SET ASIDE THE JUDGMENT AND DECREE DATED 5.4.2012 AND DECREE THE SUIT AS PRAYED FOR IN THE INTEREST OF JUSTICE AND EQUITY.

THIS R.F.A COMING FOR ORDERS ON THIS DAY, THE COURT MADE THE FOLLOWING:

JUDGMENT

Learned counsel for the appellant has filed a memo seeking return of the appeal memo and the certified copy of the judgment and decree under appeal for representation before the proper Court on the ground that the value of the subject matter of this appeal is less than Rs.10,00,000/-, therefore, the appeal would lie before the District Court. Memo is placed on record. In the light of the same, the appeal memo along with certified copy of the judgment and decree are ordered to be returned to the learned counsel for the appellant for the purpose of representation of the same before appropriate Court. For statistical purpose, this appeal is disposed of. Sd/- JUDGE SS*