



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 326 OF 2026 (KLR-RES)

C/W

WRIT PETITION NO. 1395 OF 2026 (KLR-RES)

IN WP No. 326/2026

BETWEEN:

SRI. GIRISH DIXIT
AGED ABOUT 51 YEARS,
S/O LATE B.S ANANTHA DIXIT,
RESIDING AT SRI NAGARESWARA TEMPLE,
CHANDRASHEKHARAPURA VILLAGE,
BEGUR HOBLI, BENGALURU SOUTH TALUK,
BENGALURU - 560 068.

...PETITIONER

(BY SRI. C.M. NAGABUSHANA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF RURAL DEVELOPMENT
AND PANCHAYATH RAJ, M.S.BUILDING,
DR. AMBEDKAR VEEDHI, BENGALURU - 560 001.
REPRESENTED BY ITS PRINCIPAL SECRETARY.
2. THE SPECIAL DEPUTY COMMISSIONER
BANGALORE DISTRICT,
DEPUTY COMMISSIONER OFFICE,
BANGALORE DISTRICT,
BENGALURU - 560 001.

Digitally signed
by JUANITA
THEJESWINI
Location: HIGH
COURT OF
KARNATAKA



3. SRI. NAGARESWARA TEMPLE,
CHANDRASHEKHARAPURA VILLAGE,
BEGUR HOBLI, BENGALURU SOUTH TALUK,
BENGALURU - 560 068,
REP. BY THE EXECUTIVE OFFICER.

4. THE THASILDAR,
BENGALURU SOUTH TALUK,
KANDAYA BHAVAN, K.G. ROAD,
BENGALURU - 560 009.

...RESPONDENTS

(BY SRI. V. SESHU, HCGP FOR R1 R2 AND R4;
SRI. A.G. GURURAJ, ADVOCATE FOR R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO (I) ISSUE THE WRIT OF CERTIORARI OR ANY OTHER ORDER/ORDERS QUASHING THE IMPUGNED ORDER DATED 14.12.2025 PASSED BY THE KARNATAKA APPELLATE TRIBUNAL AT ANNEXURE-H DATED 14.12.2025 PASSED IN REVENUE APPEAL NO.1072/2018.(II) ISSUE ANY OTHER WRIT OR ORDER OR DIRECTIONS AS THIS HON'BLE DEEMS FIT TO GRANT IN THE FACTS AND CIRCUMSTANCES OF THE CASE IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.,

IN WP NO. 1395/2026

BETWEEN:

SRI GIRISH DIXIT,
AGED ABOUT 51 YEARS,
S/O. LATE B.S ANANTHA DIXIT,
RESIDING AT SRI NAGARESWARA TEMPLE,
CHANDRASHEKHARAPURA VILLAGE,
BEGUR HOBLI, BENGALURU SOUTH TALUK,
BENGALURU - 560 068.

...PETITIONER

(BY SRI. C.M. NAGABUSHANA, ADVOCATE)



AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF RURAL DEVELOPMENT AND
PANCHAYATH RAJ, M.S.BUILDING,
DR. AMBEDKAR VEEDHI, BENGALURU - 560 001.
REPRESENTED BY ITS,
PRINCIPAL SECRETARY.
2. THE SPECIAL DEPUTY COMMISSIONER
BANGALORE DISTRICT,
DEPUTY COMMISSIONER OFFICE,
BANGALORE DISTRICT,
BENGALURU - 560 001.
3. SRI NAGARESWARA TEMPLE
CHANDRASHEKHARAPURA VILLAGE,
BEGUR HOBLI, BENGALURU SOUTH TALUK,
BENGALURU - 560 068,
REP. BY THE EXECUTIVE OFFICER.
SRI. PURSHOTHAMMA
S/O LATE GIRIYAPPA
AGED ABOUT 43 YEARS.
4. THE THASILDAR
BENGALURU SOUTH TALUK,
KANDAYA BHAVAN, K.G.ROAD,
BENGALURU - 560 009.

...RESPONDENTS

(BY SRI. V. SESHU, HCGP FOR R1, R2 AND R4;
SRI. A.G. GURURAJ, ADVOCATE FOR R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
IMPUGNED ORDER DTD. 14.12.2025 PASSED BY THE



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KARNATAKA APPELLATE TRIBUNAL AT ANNEX-H DTD.
14.12.2025 PASSED IN REVENUE APPEAL NO.514/2018
AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

Learned High Court Government Pleader takes notice for
respondent Nos.1, 2 and 4.

2. These two writ petitions arise out of the original
application filed by the petitioner's father seeking grant of
occupancy rights under the provisions of the Mysore (Religious,
and Charitable) Inams Abolition Act, 1955 (hereinafter referred
to as 'Act, 1955'). Earlier, when the petitioner's father, late
Sri.B.S.Anantha Dixit, was before this Court in
W.P.No.13255/2012, seeking a direction to the Special Deputy
Commissioner, Bangalore Urban District, to consider the
application filed for grant of occupancy rights, this Court by
order dated 20.04.2012, disposed of the writ petition with a
direction to the Special Deputy Commissioner to consider the
application in accordance with law and pass necessary orders



within a period of six months from the date of receipt of a certified copy of the order. It is the contention of the learned counsel for the respondent-temple that although the competent authority was the Special Deputy Commissioner and the directions issued by this Court was also to the Special Deputy Commissioner, nevertheless, the Deputy Commissioner, Bangalore District, passed an order at Annexure-C in proceedings bearing No.INA.CR.01/12-13, where once again the respondent was shown as Sri.Nagareshwara Temple represented by the Tahsildar, Bangalore South Taluk.

3. Learned counsel for the respondents submits that the temple should have been represented by its Executive Officer and therefore, it is clear that there was no opposition to the contentions of the petitioner/applicant and the Deputy Commissioner, who had no jurisdiction in the matter, passed the incompetent order at Annexure-C dated 27.01.2014 conferring occupancy rights in favour of the applicant conferring occupancy rights in land measuring 25 acres and 23 guntas in Survey No.12 and 5 acres and 4 guntas in Survey No.17 situated at Chandrashekarapura, Begur Hobli, Bangalore



South Taluk, in the name of Sri.B.S.Anantha Dixit. The Tahsildar, Bangalore South Taluk, was also directed to effect the katha accordingly in the revenue records. Learned counsel for the respondent-Temple submits that the respondents were not aware of such an order being passed by the Deputy Commissioner. Further, one more order came to be passed by the Special Deputy Commissioner, Bangalore South Sub-Division at Annexure-F in proceedings INA.CR.1/2012-13, apparently by exercising powers under Section 25 of the Karnataka Land Revenue Act, 1964. Learned counsel for the respondent-Temple submits that such a power could not be invoked by the Special Deputy Commissioner for reviewing his own order, which was passed under Section 6A of the Act, 1955. Nevertheless, learned counsel submits that by the subsequent order, the extent of land for which occupancy rights were conferred earlier in favour of the petitioner's father was reduced to 15 acres 38 guntas in Sy.No.12 and 5 acres 4 guntas in Survey No.17, thereby reducing an extent of 9 acres 25 guntas. Nevertheless, no sooner had the respondents come to know of the orders passed by the Deputy Commissioner and the Special Deputy Commissioner, the respondents filed two



appeals before the Karnataka Appellate Tribunal in Appeal Nos. 514/2018 and 1072/2018.

4. *Per contra*, learned counsel for the petitioner submits that the Karnataka Appellate Tribunal has condoned the delay of 4 years and has entertained the appeals. Although proper cause was not shown for condonation of delay, moreover, learned counsel submits that at any rate, even if the Tribunal found that the order passed by the Deputy Commissioner was without authority of law and the powers exercised by the Special Deputy Commissioner in passing the impugned order was also without any jurisdiction or authority, the Tribunal should have remanded the matter back to the competent authority for reconsideration.

5. There is substance in the submission made by the learned counsel for the petitioner. If the Tribunal found that the orders passed by the Deputy Commissioner and the Special Deputy Commissioner were without authority of law, then the Tribunal should have remanded the matter back to the competent authority for reconsideration. Learned counsel for the respondent-Temple does not dispute this position.



6. Consequently, the writ petitions are ***partly allowed*** while modifying the impugned orders passed by the Karnataka Appellate Tribunal, to the extent that the matter stands remanded back to the Special Deputy Commissioner to reconsider the application filed by Sri.B.S.Anantha Dixit, the father of the petitioner under Section 6A of the Act, 1955. Since the petitioner as well as the respondent-Temple are before this Court, respondent No.2-Special Deputy Commissioner, Bangalore District, is directed to take up the application on 04.03.2026 and the petitioner and the respondent-Temple are directed to appear before the Special Deputy Commissioner on the said date without waiting for further notice. The Special Deputy Commissioner shall take up the application and consider it afresh, hear the parties and pass necessary orders and dispose of the application as expeditiously as possible and at any rate within a period of six months from 04.03.2026.

7. Needless to observe that the Special Deputy Commissioner shall not be influenced by any observations made by this Court or any of the observations or findings



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recorded by the Deputy Commissioner and the Special Deputy Commissioner in the earlier orders or the orders passed by the Karnataka Appellate Tribunal.

Ordered accordingly.

Learned High Court Government Pleader is permitted to file memo of appearance within a period of four weeks from today.

Sd/-
(R DEVDAS)
JUDGE

rv
List No.: 1 Sl No.: 42