



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO. 15772 OF 2017 (LR)

BETWEEN:

S C DAKSHINAMURTHY
S/O CHIKKEGWODA PATIL
AGED ABOUT 72 YEARS
R/AT SHIVASANDRA VILLAGE
NITTUR HOBLI, GUBBI TALUK
TUMAKURU DISTRICT-572 103.

PETITIONER

(BY SRI. B.C. SEETHARAMA RAO.,ADVOCATE)

AND:

1. DEPARTMENT OF REVENUE
M S BUILDING
AMBEDKAR VEEDHI
BENGALURU-506 001
REPRESENTED BY ITS SECRETARY
2. LAND TRIBUNAL
OFFICE OF DEPUTY COMMISSIONER
TUMAKURU-572 106
BY ITS CHAIRMAN
3. MUDDURAMAIAH
S/O VEERAGANTIAH
MAJOR
R/AT MARALUR VILLAGE
TUMAKURU TALUK AND DISTRICT-572 103



4. CHIKKARAMAIAH
S/O VARAYENTAIAH
MAJOR
R/AT MARALUR VILLAGE
TUMAKURU TALUK AND DISTRICT-572 103
5. PUTTARAMAIAH
S/O ERAKUNTAIAH
AGED ABOUT
MAJOR
R/AT MARALUR VILLAGE
TUMAKURU TALUK AND DISTRICT-572 103
6. T R PRASHANTH
S/O T R RENUKARADHAYA
MAJOR
AGED ABOUT YEARS
R/AT NO.32 4TH CORSS
MALLESHWARAM
BENGALURU-560 002

RESPONDENTS

(BY SRI. SPOORTHY HEGDE N., HCGP FOR R1 & 2;
SRI. M.B. CHANDRA CHOOD., ADVOCATE FOR R4;
SRI. AMBAJI RAO NAJARE., ADVOCATE FOR R3 AND R5;
R3 ANF R5 SD)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER
DATED 16.12.2016 IN KLRM 2227, 2228, 2229/1975-76 ON
THE FILE OF R-2 AT ANNEX-A AND FURTHER;DIRECT R-2 TO
ALLOW THE APPLICATION FILED BY THE PETITIONER UNDER
ORDER 22 RULE 10 OF CIVIL PROCEDURE CODE.GRANT AN



INTERIM ORDER TO STAY ALL FURTHER PROCEEDINGS
PURSUANT TO THE ORDER DATED 16.12.2016 IN KLRM 2227,
2228, 2229/1975-76 AT ANNEX-A ON THE FILE OF R-2.POST
THIS W.P. FOR PRELIMINARY HEARING BEFORE SINGLE
JUDGE.DT17.04.2017

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

In this petition, the petitioner is assailing the order dated
16.12.2016 in KLRM 2227, 2228, 2229/1975-76 (Annexure-A)
inter-alia sought for a direction to respondent No.2 to allow the
application filed by the petitioner under Order XXII Rule 10 of
the Code Of Civil Procedure, 1908 (hereinafter referred as to
'CPC;).

2. Heard learned counsel for the parties.

3. Sri. B.C. Seetharama Rao, learned counsel
appearing for the petitioner has invited the attention of the
Court to the impugned order at Annexure-A and submitted that
the Tribunal has not given reasons while rejecting the



application made by the petitioner. In this regard, learned counsel referred to the provision contained under Order XXII Rule 10 of CPC and submitted that the right of the petitioner herein survive despite the application in Form No.7 is being filed by the tenant and accordingly, sought for interference of this Court.

4. *Per contra*, Sri. M.B. Chandra Chooda, learned counsel appearing for respondent No.4 made available the order dated 09.07.2013 in WP.Nos.27619 and 30597-30598/2012, wherein, this Court dismissed the petition made by the same petitioner and same has been considered by the Tribunal and accordingly, sought for dismissal of the petition.

5. Sri. Ambaji Rao Najare, learned counsel appearing for respondent No.6, submitted by referring to the order passed by this Court in the case of ***Motamma V.s Land Tribunal and Others¹***, and submitted that, the land in question has been sold during the pendency of the application before the Tribunal and that apart, no stranger will be permitted to implead in the proceedings during the pendency of the application before the Tribunal and therefore, sought for dismissal of the petition.

¹ ILR 2006 KAR 3368



6. Learned AGA also supports of the contention of the private respondents.

7. In the light of the submission made by the learned counsel appearing for the parties and on careful consideration of the order dated 16.12.2016, where the Tribunal has placed reliance on the order dated 09.07.2013 in WP.Nos.27619 and 30597-30598/2012, paragraph No.2 in the above order reads as under:

"2. It appears, the petitioner is said to be a third party who has purchased the tenanted land. He made an application for impleading himself before the Land Tribunal and the same came to be rejected vide order dated 16.07.2012 passed in KRLM.2227-2229-/75-76, stating that the petitioner cannot be impleaded as he is third party to the proceedings. It appears, there is no error in the order passed by the Land Tribunal rejecting the impleading application of the petitioner. Further, the judgments relied upon by the learned counsel for the petitioner will not apply to the case on hand."

8. Perusal of the same would indicate that the very same petitioner has preferred the above writ petition and this Court has rejected the claim made by the petitioner. In that view of the matter, I am of the view that, the Tribunal has properly considered the reasons assigned by this Court while dismissing the writ petition filed by the petitioner. Therefore, I



do not find any merit in the writ petition. It is also to be noted from the judgment of this Court in the case of ***Motamma (supra)***, wherein it is held that, the petitioner therein who claims to be the purchaser of the land in question has been held to be as no *locus standi* to question the order which is in contravention of the Act.

9. In that view of the matter, following the declaration of law made by this Court referred to above, I am of the view that, no interference is called for in this petition.

Accordingly, the petition is ***dismissed***.

Pending IAs do not survive for consideration, accordingly dismissed.

Sd/-
(E.S.INDIRESH)
JUDGE