



CNR: KAHC010076002018

NC: 2026:KHC:53131
WP No. 25472 of 2018

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF SEPTEMBER, 2026

BEFORE

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

WRIT PETITION NO. 25472 OF 2018 (LR)

BETWEEN:

1. RAMAKRISHNA REDDY
S/O LATE NANJA REDDY,
AGED ABOUT 71 YEARS.
2. GOVINDA REDDY
S/O LATE NANJA REDDY,
AGED ABOUT 67 YEARS.
3. SURYA NARAYANA REDDY
S/O LATE NANJA REDDY,
AGED ABOUT 70 YEARS

PETITIONERS NO.1 TO 3 ARE
RESIDING AT CHINTALA MADIWALA,
HURKUR POST,
BOMMASANDRA INDUSTRIAL AREA,
BENGALURU-560 099.

4. SMT. INDIRAMMA
W/O LATE. NAGARAJA REDDY,
AGED ABOUT 53 YEARS,
R/AT CHINTALA MADIWALA,
HUSKUR POST,

Digitally signed
by CHAYA S A
Location: HIGH
COURT OF
KARNATAKA



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BOMMASANDRA INDUSTRIAL AREA,
BENGALURU - 560099.

...PETITIONERS

(BY SRI. D.S. RAMACHANDRA REDDY, ADVOCATE FOR P4;

PETITION DISMISSED AS AGAINST P1 TO P3 V/O DATED
02.08.2022)

AND:

1. THE GOVERNMENT OF KARNATAKA
REP BY ITS SECRETARY,
REVENUE DEPARTMENT,
VIKASA SOUDHA,
BENGALURU-01.
2. THE ASSISTANT COMMISSIONER
BENGALURU SOUTH DIVISION,
BENGALURU-560030.
3. THE LAND TRIBUNAL
ANEKAL TALUK
ANEKAL
BENGALURU DISTRICT-562106.
4. SMT. INDIRAMMA
W/O LATE. NAGARAJA REDDY,
AGED ABOUT 53 YEARS,

V/O DATED 11.07.2022, RESPONDENT NO.4
TRANSPPOSED AS PETITIONER NO.4

5. B.L.SUBRAMANYA
S/O B. LAKSHMI NARAYAN RAO



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AGED ABOUT 58 YEARS
R/AT NO.111/1,
SREEKANTESHWARA NILAYA,
4TH MAIN, 8TH CROSS,
CHAMRAJPET,
BENGALURU-560018.

6. VENKATASWAMY REDDY
S/O LATE NANJA REDDY,
AGED ABOUT 65 YEARS
R/AT CHINTALA MADIWALA,
HURKUR POST,
BOMMASANDRA INDUSTRIAL AREA,
BENGALURU-560099.
7. SMT. SUJATHA
W/O C. KRISHNA REDDY
AGED ABOUT 60 YEARS
R/AT DOOR NO.1/9, DEVAGANAPALLI
GOPANAPALLI (POST)
DRISHNAGIRI DISTRICT
TAMIL NADU STATE – 635 110.
8. SMT. RATHNAMMA N.
W/O S.V. RAMASWAMY REDDY
AGED ABOUT 65 YEARS R/AT NO.813,
23RD CROSS, 8TH MAIN
OPP. PARK, HSR LAYOUT
SECTOR-7, BENGALURU SOUTH
BENGALURU – 560102.

...RESPONDENTS

(BY SMT. SHARADA H.V., AGA FOR R1 TO R3;



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V/O DATED 11.07.2022, RESPONDENT NO.4 TRANSPOSED AS PETITIONER NO.4 ;
SRI. PRAKASH T. HEBBAR, ADVOCATE FOR R5;
SRI. N. SHANKAR RANGAREGI, ADVOCATE FOR R6;
SRI. VINAY KUMAR BHAT, ADVOCATE FOR R7 & R8)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER PASSED BY THIRD RESPONDENT DATED 23.03.2018 VIDE ANNEXURE-F; AND ETC.

THIS WRIT PETITION HAVING BEEN RESERVED FOR ORDERS, COMING ON FOR PRONOUNCEMENT THIS DAY, **E.S. INDIRESH J.**, MADE THE FOLLOWING:

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

CAV ORDER

1. In this Writ Petition, petitioner No.4 is assailing the order dated 23.03.2018 (Annexure-F) in LRF.ATC No.2848-1679/1975-76 passed by respondent No.3, inter alia, sought for a direction to respondent No.3 to put up original records pertaining to the aforementioned proceedings.



2. The relevant facts for adjudication of this Writ Petition are that, the father of respondent No.5 - B. Lakshminarayana Rao was the owner of the land bearing Sy.No.41 measuring 2 acres 6 guntas of Gulimangala Village, Anekal Taluk and the father of the petitioner - late Nanja Reddy claims to be tenant under him. It is stated that the said Nanja Reddy was in cultivation of the land in question since 1969 and the name of Nanja Reddy reflected in the RTC extracts. It is further stated that, the said Nanja Reddy filed Form No.7 before the Land Tribunal, seeking grant of occupancy right as per the provision contained under the Karnataka Land Reforms Act, 1961 (hereinafter referred to as 'the Act') in respect of the subject land and other survey numbers. The Tribunal has caused notice to the said Nanja Reddy and as such, granted occupancy right in favour of Nanja Reddy in the year 1981. It is further stated that, the father of the petitioner has paid premium in respect of the land in question and thereby the Tahsildar issued occupancy certificate in Form No.10 and thereafter, M.R.No.2/1983-84 was made in favour of the said Nanja Reddy. It is the case of the petitioner that father of the petitioner - Nanja Reddy died



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on 02.12.2006 leaving behind the petitioners and respondent No.6 as his legal heirs. It is further stated in the Writ Petition that the respondent No.5 has filed W.P.No.14399/2007, seeking entry in the revenue records and this Court vide order dated 15.12.2008 (Annexure-B), allowed the Writ Petition and directed the revenue authorities to enter the name of respondent No.5. The aforementioned order of the learned Single Judge was challenged by the petitioners herein in W.A.No.1287/2009 and this Court, vide order dated 07.09.2009 (Annexure-C), disposed of the Appeal with modification in the order passed in W.P.No.14399/2007. Thereafter, the Tribunal passed the order dated 22.04.2010 (Annexure-D) without issuing notice to the petitioners herein and as such, the said order was questioned before this Court in W.P.No.20440/2010. This Court, vide order dated 29.07.2011 (Annexure-E), allowed the Writ Petition and remitted the matter to the Land Tribunal for fresh consideration. The Tribunal, after considering the material on record, rejected the claim made by the petitioners as to grant of occupancy right on 23.03.2018 (Annexure-F), which is impugned in this Writ Petition.



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3. It is also contended in the Writ Petition that one Chandramouli has preferred W.P.No.28192/2013 and connected Writ Petitions challenging the order passed in LRF/HTC/2848/75-76 and LRF/HTC/1029/75-76 in respect of the land bearing Sy.No.5 of Gulimangala Village and this Court, vide order dated 01.12.2014(Annexure-G), dismissed the Writ Petition and being aggrieved by the same, the said Chandramouli has filed W.A.No.275/2015 and connected Writ Appeal and Division Bench of this Court vide order dated 09.11.2016 (Annexure-H), dismissed the appeal as withdrawn.

4. Heard Sri. D.S. Ramachandra Reddy, learned counsel appearing for the petitioner No.4, Sri. Prakash T. Hebbar, learned counsel appearing for the respondent No.5 and Smt. Sharada H.V., learned Additional Government Advocate appearing for respondent Nos.1 to 3.

5. Sri. D.S. Ramachandra Reddy, learned counsel appearing for the petitioner No.4, contended that, the finding recorded by the Tribunal that Nanja Reddy has not filed Form No.7 seeking occupancy right and has concocted the documents as to seeking occupancy right is contrary to law. He further



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contended that, the observation made by this Court in W.P.No.14399/2007 at paragraph No.5 cannot be accepted as the entire records of the Land Tribunal was not called for in the said proceedings. It is further argued by the learned counsel appearing for the petitioner, by referring to paragraph Nos.7 and 8 in W.A.No.1287/2009, that this Court has verified the original records and noticed that the Form No.7 filed by Nanja Reddy and therefore, the finding recorded by the Tribunal is incorrect and requires to be set aside. It is also submitted by the learned counsel appearing for the petitioner, by referring to the order passed by this Court in W.P.No.20440/2010 and contended that, this Court has arrived at the conclusion as to filing of Form No.7 by Nanja Reddy and therefore, sought for interference of this Court.

6. Referring to the order passed by this Court in W.P.No.28192/2013 at Annexure-G, learned counsel appearing for the petitioner contended that, as late Nanja Reddy has received notice from the Land Tribunal which pre-supposes the filing of Form No.7 and the said aspect of the matter was considered by this Court in the aforementioned Writ Petition



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and same has been ignored by the Land Tribunal in the impugned order and therefore, sought for interference of this Court.

7. Nextly it is contended by the learned counsel appearing for the petitioner No.4, that the petitioner No.4 is having 1/5th share in the schedule property and as such, referred to the compromise petition filed before this Court and submitted that the private respondents herein have admitted that the petitioners herein are the tenant and therefore, sought for setting aside the impugned order.

8. Lastly, Sri. D.S. Ramachandra Reddy, learned counsel appearing for the petitioner No.4, referred to Rule 44 of the Karnataka Land Reforms Rules, 1974 (hereinafter referred to as 'the Rules') and contended that Village-war Register under Rule 44(1-C) stipulates as to the custody of the document with the Tahsildar and therefore, submitted that the records have been destroyed and as such sought for interference of this Court.

9. Per contra, Sri. Prakash T. Hebbar, learned counsel appearing for the respondent No.5 refers to the order passed



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by this Court in W.P.No.14399/2007 and contended that the said Nanja Reddy has not filed Form No.7 seeking occupancy right in respect of land in question and further, the Tribunal, after remand made by the Division Bench of this Court in W.A.No.1287/2009, verified the entire records in detail and arrived at a conclusion that the claim made by the petitioners herein is farce and without any basis and therefore, sought for dismissal of the Writ Petition.

10. It is further argued by Sri. Prakash T. Hebbar that, the petitioner has produced the Form No.10 issued by the competent authority at Annexure-K, however, the same was printed on 16.02.1981 and therefore, there is no possibility of issuing such Form No.10 prior to the order of the Tribunal and therefore, submitted that the claim made by the petitioner is based on created document and therefore, sought for dismissal of the Writ Petition.

11. It is also argued by the learned counsel appearing for respondent No.5 that, the documents referred to by the petitioner as to issuance of notice by the Land Tribunal are all fake and no such document is in the original records and



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therefore, sought for dismissal of the Writ Petition. It is also argued by the learned counsel appearing for the respondent No.5 that the name of Nanja Reddy reflected in the RTC extracts are based on no prior orders passed prior to entry or by issuance of occupancy right granted by the Tribunal and therefore, sought for dismissal of the Writ Petition. It is further argued by the learned counsel appearing for the respondent No.5 that, the proceedings before this Court in W.P.No.28192/2013 (Annexure-G) is relating to Sy.No.5 of Gulimangala Village and the subject matter of the land in the present proceedings is Sy.No.41 of Gulimangala Village and therefore, it is argued that, the submission made by the learned counsel appearing for the petitioner in respect of Annexure-G cannot be accepted. It is further contended by the learned counsel for respondent No.5, that respondent No.5 is not a party in W.P.No.28192/2013 and accordingly, sought for dismissal of the Writ Petition. In order to buttress his arguments, learned counsel appearing for the respondent No.5, places reliance on the Judgment of this Court in the case of BASAPPA Vs. LAND TRIBUNAL, BAGALKOTE TALUK AND



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OTHERS reported in AIR 1978 KAR 44 and accordingly, sought for dismissal of the Writ Petition.

12. Smt. Sharada H.V., learned Additional Government Advocate sought to support the impugned order of the Land Tribunal and produced the original records.

13. In the light of the submissions made by the learned counsel appearing for the parties, the controversy in the Writ Petition is as to land bearing Sy.No.41 of Gulimangala Village. It is not in dispute that father of respondent No.5 - B. Lakshminarayan Rao was the owner of the land in question. During the pendency of this Writ Petition, the original petitioners No.1 to 3 had entered into compromise with the private respondents and as such, the original respondent No.4 - Smt. Indiramma (daughter-in-law of Nanja Reddy) was transposed as petitioner No.4 in terms of the order dated 11.07.2022 and pursuing the Writ Petition. It is the case of the petitioner that the father in law of the petitioner No.4 - Nanja Reddy had filed Form No.7 seeking grant of occupancy right in respect of the subject land. It is also not in dispute that the land in question is a Shanubhog Inam. Perusal of the RTC



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extracts for the year 1969 to 1974 show the name of Nanja Reddy, however, there is no basis on which the name of Nanja Reddy is mentioned in the Column No.12 of the RTC extracts. It is also forthcoming from the RTC extracts for the year 1979-80 onwards (Annexure-A2 onwards), the name of Nanja Reddy is reflected in the Column No.9 and 12 as per the order passed by the Land Tribunal. Perusal of the Writ Petition would indicate that the respondent No.5 herein has filed W.P.No.14399/2007 seeking direction to the respondent - authorities to enter the name of his father - B. Lakshminarayana Rao in the revenue records and in the said proceedings, petitioner No.4 herein is arrayed as respondent No.9 in W.P.No.14399/2007. This Court at paragraph Nos.5 and 6 in W.P.No.14399/2007 disposed of on 15.12.2008(Annexure-B), has held as follows:

"5. The records on hand prima facie reveal the Nanja Reddy did not file Form No.7 for grant of occupancy rights. The records also do not reveal that the Land Tribunal has granted occupancy rights in favour of Nanja Reddy or respondents 5 to 9 at any point of time. Even the records maintained by the Land Tribunal do not reveal Form No.10 either in favour of respondents 5 to 9 or in favour of Nanja Reddy pertaining to the land in question. Therefore, it is prima facie clear that the names of



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respondents 5 to 9 could not have been continued in the Record of Rights pursuant to a non-existent order of the Land Tribunal. Under such circumstances, the endorsement made in the Record of Rights vide Annexure-'N' to the effect that the name of Nanja Reddy is entered in the Revenue Records pursuant to the order of the Land Tribunal in Case No. LRF.ATC: 2848: 1679:75-76 cannot be allowed to stand and therefore the endorsement is to be set aside.

6. That does not mean that the name of Narnja Reddy should be deleted from the revenue records. The name of Nanja Reddy is existing since 1969 onwards till 1997 which means his name was existing even prior to 1973-74. Thereafter, the names of respondents 5 to 9 appear in the revenue records in place of Nanja Reddy. As the name of Nanja Reddy and his legal representatives are appearing in the revenue records since 1969 onwards and. since the petitioner has not got deleted their names or altered in accordance with law, the names of the respondents 5 to 9 will have to be continued in the revenue records till the same are altered in accordance with law. Merely because the revenue officials have made an endorsement that the name of Nanja Reddy shall continue as per the order of the Land Tribunal stated to have been passed in the year 1983-84 erroneously, the name of Nanja reddy which is existing prior thereto cannot be ordered to be deleted. The name of Nanja Reddy and the names of his legal representatives will continue until the same is ordered to be altered in



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accordance with law by competent officer/Court. In view of the same, the following order is made:

The endorsement made vide Annexure-'N' in the Record of Rights that the name of Nanja Reddy shall be entered in the revenue records pursuant to the order of the Land Tribunal bearing No. LPF.80C:2848:1679:75-76 is quashed.

However, the continuance of name of Nanja Reddy up to 1997 and thereafter the names of respondents 5 to 9 in the revenue records cannot be set aside. Such entries however would be subject to the result of proceedings that could be taken up by either of the parties before competent revenue authorities or before the jurisdictional Court.

Writ petition is disposed of accordingly."

(underlined by me)

14. It is also pertinent to mention here that, the original petitioners No.1 to 3 herein, have preferred W.A.No.1287/2009 and this Court, by order dated 07.09.2009 (Annexure-C), at paragraph Nos.7 and 8, held as follows:

7. Learned Govt. Pleader has made available the original Villagewar Register where the Form No.7 filed by the deceased father of appellants and father-in-law of the 6th Respondent at Serial No.1 and Form No.7 filed by deceased C. Nanja Redy on 31.08.1974 in respect of land



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bearing Survey No.41/4 are shown. The last but one column does not bear the seal and signature of the Secretary of the Land Tribunal and the occupancy certificate produced by the appellants herein to substantiate the claim regarding the entry in the record of rights on the basis of the order of the Land Tribunal dated 17.06.1975 at Annexure – R3. There is no reference to the order of the Land Tribunal.

8. In this view of the matter, the claim made by the appellants herein regarding the entries made in the record of rights on the basis of the aforesaid Land Tribunal order is not factually correct. Since it is evident from entry at Page No.44 of the Villagewar Register produced by the Govt. Pleader, the 5th Respondent is directed to hear the appellants and the 6th Respondent and pass appropriate orders. Further, we deem it proper to modify the order of the learned single judge with regard to Annexure N' and clarify that quashing of Annexure 'N' the endorsement is only relation the land bearing Survey No.41 referred to supra."

(underlined by me)

15. Perusal of the aforementioned orders would indicate that the original village-war Register was verified, however, there was no Form No.7 filed by the said Nanja Reddy. It is also forthcoming in the paragraph No.7 of the W.A.No.1287/2009 that the Land Tribunal vide order dated 17.06.1975 granted



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occupancy right in favour of Nanja Reddy. By looking to the aforementioned finding recorded by this Court and the document produced before the Land Tribunal at Ex.P4 - Form No.10 issued by the competent authority, as the said Form No.10 was printed in the year 1981 and therefore, it is doubtful as to how there is a chance of issuance of the Form No.10 immediately after the order passed by the Land Tribunal on 17.06.1975 to the said Nanja Reddy. It is also pertinent to mention here that, I have carefully examined the Village-war Register at Ex.P3, wherein, the seal of the Tahsildar or the Land Tribunal is not reflected in Ex.P3. It is also forthcoming from Ex.P1 wherein neither the case number is mentioned in the document nor the seal of the competent authority affixed on the said document at Ex.P1 and therefore, I am of the opinion that the doubt expressed by this Court in paragraph 5 in W.P.No.14399/2007 (Annexure-B) is in accordance with the factual aspects on record and therefore, I do not find any merit in the Writ Petition.

16. It is also to be noted that the Tribunal has examined the entire documents on record, by considering the order passed by



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this Court which is reflected in paragraph Nos.11 onwards and on examination of the finding recorded by the Tribunal and also taking into account the original records produced by the respondent - State, I am of the view that, the entire case of the petitioner claiming right over the property is based on a fictitious Form No.7 said to have been filed by Nanja Reddy. It is also to be noted that the Tribunal after re-appreciating the material on record has arrived at a conclusion that the land in question is 'Shanubhog Inam land' and same was re-granted in favour of father of respondent No.5 - B. Lakshminarayana Rao and taking into consideration as the land in question was vested with the State before re-grant made in favour of B. Lakshminarayana Rao and as such, the RTC extracts produced by the petitioner is fake and contrary to the original records. In that view of the matter, following the declaration of law made by the Hon'ble Supreme Court in the case of MAHARASHTRA STATE BOARD OF SECONDARY AND HIGHER SECONDARY EDUCATION Vs. K.S. GANDHI AND OTHERS reported in (1991) 2 SCC 716 and applying the principles to the case on hand, I am of the view that the conclusion arrived at



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by the Land Tribunal in the impugned order at Annexure-F is supported by evidence on record and therefore, no interference is called for even though the arguments advanced by the petitioner as to consider that another view is also possible. In that view of the matter, after appreciating the entire material on record, I am of the opinion that the Tribunal has passed the well reasoned order and there is no perversity in the order passed by the Land Tribunal and accordingly, same is confirmed.

17. In the result, Writ Petition is dismissed.

Sd/-
(E.S.INDIRESH)
JUDGE

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