



CNR: KAHC010097432018

NC: 2026:KHC:37416
WP No. 30622 of 2018

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF JULY, 2026

BEFORE

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

WRIT PETITION NO. 30622 OF 2018 (KLR-RES)

BETWEEN:

1. SRI JANARDHANA GOWDA
S/O LATE BABU GOWDA,
AGED ABOUT 49 YEARS
AGRICULTURIST,
NAVOOR HOUSE, KANIYLOOR VILLAGE,
PUTTUR TALUK,
D.K.DISTRICT 574227
2. STM JAYANTHI
W/O K.JANARDHANA GOWDA,
AGED ABOUT 47 YEARS
AGRICULTURIST,
NAVOOR HOUSE, KANIYLOOR VILLAGE,
PUTTUR TALUK,
D.K.DISTRICT.

...PETITIONERS

(BY SRI. RAJARAMA SOORYAMBAIL.,ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER
D.K.DISTRICT,
MANGALORE 575101.
2. THE ASSISTANT COMMISSIONER
PUTTUR TALUK,
PUTTUR, D.K.DISTRICT 573201.



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NC: 2026:KHC:37416
WP No. 30622 of 2018

3. THE DEPUTY THASILDHAR
KADABA, PUTTUR TALUK,
PUTTUR, D.K.DISTRICT 573201.

4. SMT BALAKKA
MAJOR,
SINCE DECEASED BY HER LR's

GUNAVATHI
D/O LATE BALAKKA
AGED ABOUT 54 YEARS
NAVOOR HOUSE,
KANIYOOR VILLAGE
PUTTUR TALUK, D.K.

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE N, HCGP FOR R1 TO R3
SRI. VIGNESHWARA U, ADVOCATE FOR R4A)

THIS W.P. IS FILED UNDER ARTICLES 226 & 227 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED
JUDGMENT PASSED BY THE KARNATAKA APPELLATE TRIBUNAL
IN REV. PET NO.64/2012 DTD 19.01.2018 VIDE ANNEX-A.

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

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



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WP No. 30622 of 2018

ORAL ORDER

In this writ petition, petitioners are assailing the Order dated 19.01.2018 (Annexure-A) in Revision Petition No.64/2012 on the file of the Karnataka Appellate Tribunal, Bangalore.

2. Heard Sri.Rajarama Sooryambail, learned counsel for the petitioners, Sri Spoorthy Hegde N., learned HCGP for respondent Nos.1 to 3 and Sri Vighneshwara U. learned counsel for respondent No.4.

3. It is the case of the petitioners that the petitioners have filed Form No.53 to the competent authorities to regularise the land in question under Rule 108-CC(1) of the Karnataka Land Revenue Rules, 1966.

4. It is the case of the petitioners that though the said application was pending consideration before the competent authority, however, the respondents authorities have considered the application made by respondent No.4 and therefore, the petitioners have presented the said



CNR: KAHC010097432018

petition, challenging the order passed by the Karnataka Appellate Tribunal at Annexure - A.

5. Sri. Rajarama Sooryambail, the learned counsel appearing for the petitioners contended that as the application made by the petitioners in Form No.53 was pending consideration before the authority, the respondent authorities ought to have considered the application made by the petitioners along with the application made by original respondent No.4 filed in respect of the very same land together and therefore, sought for interference of this Court.

6. Per contra, Sri Vighneshwara U, learned counsel appearing for respondent No.4, contended that there was no application filed by the petitioner and further argued that, the petitioners' application was rejected by the respondent authorities and as there is a delay in filing the appeal before the Karnataka Appellate Tribunal, and therefore, sought for dismissal of the petition.



CNR: KAHC010097432018

NC: 2026:KHC:37416
WP No. 30622 of 2018

7. Learned HCGP Sri Spoorthy Hegde N, sought for dismissal of the petition.

8. In the light of the submission made by the learned counsel appearing for the parties and on careful consideration of the Annexures - B and C would indicate that the petitioners herein have filed Form No.53 before the competent authority seeking regularisation of the land in question.

9. It is the arguments of the learned counsel appearing for respondent No.4 that there was no such application made by the petitioners.

10. In this regard, on careful consideration of the finding recorded by the KAT at paragraph No.7, would makes it clear that the application made by the petitioners was found in the file in respect of the very same subject land.



**NC: 2026:KHC:37416
WP No. 30622 of 2018**

CNR: KAHC010097432018

11. In that view of the mater, I am of the view that respondent No.1 ought to have clubbed Form No.53 filed by the petitioners, as well as the application filed by Smt.Balakka (Original respondent No.4) and pass an appropriate order in accordance with law. In that view of the matter, as the procedure contemplated under the Act and Rules made thereunder was not followed by respondent No.1, I find force in the submission made by the learned counsel for the petitioners. Accordingly, I pass the following:-

ORDER

i) The writ petition is allowed.

ii) The order dated 19.01.2018 (Annexure - A) in RP No.64/2012 passed by the Karnataka Appellate Tribunal and order dated 09.11.2012 passed by respondent No.1, (Annexure - F) are hereby set aside and the matter is remitted to respondent No.1 to reconsider the issue afresh after affording an opportunity of hearing to all the parties and take decision in the matter in accordance with law.



**NC: 2026:KHC:37416
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iii) Since the parties are represented through the learned counsel, parties are directed to appear before respondent No.1 on 17.08.2026 at 03.00 p.m. and on the appearance of the parties, respondent No.1 is directed to complete the entire proceedings within one year thereafter.

**SD/-
(E.S.INDIRESH)
JUDGE**

Vmb
List No.: 1 Sl No.: 48