



CNR: KAHC010114732017

NC: 2026:KHC:50693
WP No. 44299 of 2017

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO.44299 OF 2017 (GM-RES)

BETWEEN:

SRI.SRINIVASA REDDY B N
S/O SRI.NYATHAPPA REDDY
AGED ABOUT 58 YEARS
RESIDING AT
DEVARABEESANAHALLI VILLAGE
VARTHUR HOBLI
BANGALORE EAST TALUK
BENGALURU -560 035

...PETITIONER

(BY SRI.MAYA HOLLA, ADVOCATE)

AND:

1. P.RAVIKUMAR
S/O POOJAPPA
NO.228/278, DODDAKANAHALLI DINNE
GEAR COLLEGE CROSS ROAD
SARJAPURA MAIN ROAD
RALMELOKAM POST
BENGALURU-560 035
2. TAHSILDAR
BANGALORE EAST TALUK
K.R.PURAM
DIESEL SHED ROAD
BENGALURU-560 036

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3. TAHSILDAR
BANGALORE SOUTH TALUK
REVENUE BHAVAN
BENGALURU-560 009
4. M.SRINIVASAN
S/O MUTTHUSWAMY GOUNDAR
5. SAVITRAI SRINIVASAN
C/O M.SRINIVASAN

BOTH RESPONDENT NOS.4 AND 5
RESIDING AT WARD NO.4 & 5
NO.48, 3RD CROSS
29TH MAIN ROAD, B.T.LAYOUT 2ND PHASE
BENGALURU - 560 076

ALSO AT

K.F.GARE FOUNDATION
OUTER RING ROAD
SARJAPUR ROAD
DODDAKANAHALLI
BENGALURU -560 035

6. THE DEPUTY COMMISSIONER
K.G.ROAD
BENGALURU-560009
7. KARNATAKA STATE COMMISSION
FOR SCHEDULED CASTES &
SCHEDULED TRIBES
CFC BUILDING, 2ND FLOOR
BENGALURU - 560001

...RESPONDENTS

(BY SRI.MAHANTESH SHETTAR, AGA FOR R.2, 3 AND 6;

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SRI.K.CHANDRA MOHAN, ADVOCATE FOR R.7;
R.1 - SERVED AND UNREPRESENTED;
NOTICE TO R.4 AND R.5 IS D/W V/O/D 17.09.2026)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DECLARE THAT THE PROCEEDINGS BEFORE THE KARNATAKA STATE COMMISSION FOR THE SCHEDULED CASTES AND THE SCHEDULED TRIBES IS WITHOUT JURISDICTION AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

Learned counsel for the petitioner has filed a memo dated 17.01.2026 seeking dispensation of notice to respondent Nos.4 and 5 since no relief is sought against them.

2. The said memo is taken on record.

3. In view of the above said memo, notice to respondent Nos.4 and 5 is dispensed with.

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4. The captioned writ petition is filed seeking for the following relief;

"i. Declare that the proceedings in Land/209/2017 before the Karnataka State Commission for the Scheduled Castes and the Scheduled Tribes is without jurisdiction.

ii. Issue a writ of certiorari or any other writ, order or direction quashing the order dated 17.08.2017 (Annexure-W) passed by the Karnataka State Commission for the Scheduled Castes and the Scheduled Tribes), as without jurisdiction, illegal and arbitrary.

iii. Direct the respondents to pay the costs of this petition and grant such other and further reliefs as are just."

5. The petitioner, who claims title over the disputed property under a registered Sale Deed dated 03.12.1970 executed for valuable consideration in favour of his father and, thereafter, claims to have derived right and interest in the property pursuant to an *inter se* partition within the family, is aggrieved by the proceedings initiated by respondent No.7 – Karnataka State Commission for the



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Scheduled Castes and the Scheduled Tribes, on the basis of a complaint lodged seeking, *inter alia*, the relief of possession. On respondent No.7 issuing notice to the petitioner in Land/209/2017, the petitioner has invoked the jurisdiction of this Court under Articles 226 and 227 of the Constitution of India, principally contending that the Commission has no jurisdiction to adjudicate upon the civil dispute between the parties. The petitioner has consequently sought a declaration that the proceedings initiated in Land/209/2017 are without jurisdiction and has further sought a writ in the nature of certiorari to quash the order dated 17.08.2017, produced at Annexure-W, whereby the petitioner has been restrained from putting up any construction over the disputed property and has been directed to maintain status quo.

6. The principal question that arises for consideration is as to whether respondent No.7 – Commission could have entertained the complaint and issued orders touching

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upon possession and enjoyment of the disputed property when the controversy essentially involves adjudication of civil rights between the parties. This Court has consistently held in a series of judgments that the Commission cannot assume the jurisdiction of a civil Court and adjudicate upon disputed questions of title, possession or other civil rights in respect of immovable property. The jurisdiction conferred upon the Commission cannot be expanded so as to enable it to decide matters which fall within the exclusive domain of a competent civil Court.

7. It is also relevant to take note of the submission advanced by the learned Additional Government Advocate. An identical issue had arisen for consideration before this Court in W.P.No.15558/2017. In the said proceedings, the Commission had given an undertaking, which has been noticed by this Court in paragraph No.34 of the order, that it would not entertain complaints or proceedings which fall outside the scope of its statutory powers and jurisdiction.

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The said order has been placed before this Court and is taken on record. The aforesaid undertaking itself demonstrates that the Commission is conscious of the limitations governing the exercise of its jurisdiction and cannot embark upon adjudication of disputes which are essentially civil in nature.

8. In the present case, the complaint entertained by respondent No.7, when examined in the backdrop of the reliefs sought therein, unmistakably discloses that the controversy is essentially one relating to the right, title and possession over the disputed property. The petitioner asserts his claim through a registered Sale Deed of the year 1970 stated to have been executed in favour of his father for valuable consideration and further relies upon a subsequent inter se partition within the family. Whether such claim of title and the competing claim set up by the complainant are legally sustainable, and who is entitled to possession of the property, are matters which necessarily

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require adjudication by a competent civil forum on the basis of pleadings and evidence.

9. The Commission, while exercising its statutory functions, cannot adjudicate upon such disputed questions of title and possession or grant reliefs which are in the nature of orders that could appropriately be sought before and granted by a competent civil Court. The mere fact that a complaint has been presented before the Commission does not confer jurisdiction upon it to decide a dispute which, in substance, is a civil dispute between rival claimants to an immovable property. The nature of the controversy and the relief sought, and not the nomenclature of the complaint, must determine the jurisdiction of the authority.

10. Viewed from this perspective, this Court is of the considered view that respondent No.7 could not have assumed jurisdiction over the complaint in Land/209/2017 and proceed to issue directions affecting the petitioner's

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asserted rights in the disputed property. The order dated 17.08.2017, particularly the direction restraining the petitioner from putting up any construction and directing the parties to maintain *status quo*, is an order which directly operates upon the civil rights and possession of the parties in respect of the property. Such an adjudicatory exercise is beyond the jurisdiction vested in the Commission.

11. It is necessary to clarify that this Court, while examining the jurisdictional issue, is not expressing any opinion on the merits of the rival claims to title or possession over the disputed property. The petitioner's claim based on the registered Sale Deed dated 03.12.1970, as well as the competing claim of the complainant, are matters which, if required, may be adjudicated by the competent civil forum in accordance with law. What falls for consideration in the present proceedings is only the competence of respondent No.7 to

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entertain and adjudicate upon such a dispute, and on that limited issue, the answer has to be in the negative.

12. Once it is found that the complaint itself was beyond the jurisdiction of respondent No.7, continuation of the proceedings before the Commission would serve no lawful purpose. The petitioner cannot be compelled to undergo a prolonged proceeding before an authority which lacks jurisdiction to adjudicate the very nature of dispute brought before it. Exercise of the extraordinary jurisdiction under Articles 226 and 227 of the Constitution of India is, therefore, warranted to prevent continuation of proceedings which are without jurisdiction and to secure the ends of justice.

13. For the foregoing reasons, this Court is of the considered view that the proceedings initiated by respondent No.7 in Land/209/2017 are without jurisdiction and cannot be permitted to continue. Consequently, the



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order dated 17.08.2017 passed by respondent No.7 at Annexure-W is also liable to be quashed.

14. Accordingly, this Court proceeds to pass the following:

ORDER

(i) The writ petition is ***allowed***.

(ii) The proceedings in Land/209/2017 pending before the Karnataka State Commission for the Scheduled Castes and the Scheduled Tribes are hereby quashed.

(iii) Consequently, the order dated 17.08.2017 passed by the Karnataka State Commission for the Scheduled Castes and the Scheduled Tribes, produced at Annexure-W, is hereby quashed.

(iv) It is made clear that this Court has not expressed any opinion on the rival claims of the parties relating to title, possession or other civil rights in respect of the disputed property. All such rights and



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contentions are left open to be agitated
before the competent forum in accordance
with law.

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(SACHIN SHANKAR MAGADUM)
JUDGE

NBM
List No.: 1 SI No.: 3