



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JUNE, 2026

BEFORE

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

WRIT PETITION NO.5917 OF 2026 (KLR-RES)

BETWEEN:

1. GOWRAMMA
SINCE DEAD BY HER LRS.,

SRI. RAMACHANDRAPPA
S/O LATE BASAPPA,
AGED ABOUT 57 YEARS,
R/O CHIKKAGUNDAGAL VILLAGE,
OBALAPURA POST,
KORA HOBLI,
TUMAKURU TALUK AND DISTRICT - 572 106.

...PETITIONER

(BY SRI. YOGESH V. KOTEMATH, ADVOCATE FOR
SRI. VIRUPAKSHAIAH P.H., ADVOCATE)

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by CHAYA S A
Location: HIGH
COURT OF
KARNATAKA

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
M.S. BUILDING,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001.
2. THE DEPUTY COMMISSIONER
TUMAKURU DISTRICT,
TUMAKURU - 572 101.



3. THE ASSISTANT COMMISSIONER
TUMAKURU SUB-DIVISION,
TUMAKURU - 572 101.
4. THE TAHSILDAR
TUMAKURU TALUK,
TUMAKURU - 572 101.
5. SMT. MUMTAZ UNNISSA
W/O MOHAMMED KAIJAR,
AGED ABOUT 50 YEARS,
R/O GERAHALLI VILLAGE,
KORA HOBLI, TUMAKURU TALUK,
TUMKUR DISTRICT - 572 106.

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA FOR R1 TO R4;
SRI. MALLIKARJUN B. RYAKAH, ADVOCATE FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER DATED 03.01.2023 IN RRT (A) CR 577 / 2022 VIDE ANNEXURE-D PASSED BY THE 3RD RESPONDENT AUTHORITY AND ORDER DATED 22.10.2024 IN RP NO. 21/2023 VIDE ANNEXURE-E PASSED BY THE 2ND RESPONDENT AUTHORITY HOLDING THE SAME ARE ILLEGAL AND WITHOUT JURISDICTION; AND ETC.

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

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



ORAL ORDER

Heard Sri. Yogesh V. Kotemath, learned counsel appearing for Sri. Virupakshaiah P.H., for the petitioner and Smt. B.P. Radha, learned Additional Government Advocate appearing for the respondent-State and Sri. Mallikarjun B. Ryakah, learned counsel for the respondent No.5.

2. In this writ petition, the petitioner has assailed the order dated 03.01.2023 (Annexure-D) passed by respondent No.3 and the order dated 22.10.2024 (Annexure-E) passed by respondent No.2. The petitioner has, inter-alia, sought a direction to respondent No.4 to effect mutation entries in his favour in respect of the subject land measuring 2 acres 13 guntas, inclusive of 2 guntas of karab land, situated at Gerahalli Village, Tumakuru Taluk and District.



3. It is the contention of Yogesh V. Kotemath, learned counsel for the petitioner, that the land in question originally belonged to one Siddappa, son of Narasaiah, and upon his demise, the petitioner has succeeded to the estate left behind by him. It is further contended that the petitioner is in possession and enjoyment of the schedule property, however, the revenue entries have been mutated in favour of respondent No.5 pursuant to proceedings initiated under Section 25 of the Karnataka Land Revenue Act, 1964 (for short, "the Act"). According to the petitioner, the mutation has been effected belatedly and illegally. It is also contended that respondent No.5 had purchased land bearing Sy.No.41/3 and not Sy.No.41/1, and therefore the authorities have erred in directing mutation in favour of respondent No.5. On these grounds, interference of this Court is sought.



4. Per contra, Sri Mallikarjun B. Ryakha, learned counsel appearing for respondent No.5, drawing the attention of the Court to the sale deeds produced at Annexures-F1 to F3 and submits that though the property purchased by respondent No.5 was originally described as Sy.No.41/3, the said survey number was subsequently phoded and renumbered as Sy.No.41/1. He further submits that this aspect has been duly considered by both the revenue authorities while passing the impugned orders. Therefore, he seeks dismissal of the writ petition.

5. It is also contended by the learned counsel for respondent No.5 that two civil suits, namely O.S. No.891/2024 and O.S. No.1041/2024, are pending consideration before the competent Civil Court, Tumkur in respect of the very same property, wherein



relief of declaration and consequential reliefs have been sought. Hence, he submits that the dispute involves question of title, which are required to be adjudicated by the Civil Court.

6. Sri. B.P. Radha, learned Additional Government Advocate for the respondent-State submits that both the authorities have considered the entire material available on record and have rightly passed the impugned orders. Therefore, no interference is called for in exercise of writ jurisdiction.

7. Having considered the submissions made by the learned counsel appearing for the parties and upon perusal of the material on record, it is evident that respondent No.5 claims title to the property under registered sale deeds produced at Annexure-F1 to F3. It is also a concurrent finding recorded by both the revenue authorities that land bearing Sy.No.41/3



was subsequently phoded and renumbered as Sy.No.41/1. The mutation entries have been effected on the basis of the aforesaid registered sale deeds.

8. Further, it is not in dispute that O.S. No.891/2024 and O.S. No.1041/2024 concerning the subject property are pending adjudication before the competent Civil Court. Since the dispute essentially pertains to title and possession over the property, and as the mutation entries have been effected on the basis of registered sale deeds, this Court does not find any infirmity in the impugned orders calling for interference under Articles 226 and 227 of the Constitution of India.

9. Accordingly, the writ petition stands ***dismissed.***

10. However, it is made clear that the mutation entries effected by the revenue authorities shall be



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subject to the result of O.S. No.891/2024 and O.S. No.1041/2024, that may be passed by the competent Civil Court in the said proceedings.

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

SB
List No.: 1 Sl No.: 6