



CNR: KAHC010127582018

NC: 2026:KHC:44187
WP No. 35578 of 2018

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF AUGUST, 2026

BEFORE

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

WRIT PETITION NO. 35578 OF 2018 (LR)

BETWEEN:

1. SRI H M RAVISH
S/O LATE MALLESHAIAH,
AGED ABOUT 42 YEARS
R/AT HANCHIHALLI VILLAGE,
KORA HOBLI - 572 128
TUMKUR TALUK AND DISTRICT
2. SMT. SIDDAGANGAMMA
W/O H.M.RAVISH,
AGED ABOUT 38 YEARS
R/AT HANCHIHALLI VILLAGE,
KORA HOBLI - 572 128
TUMKUR TALUK AND DISTRICT

...PETITIONERS

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

(BY SRI. VIGNESHWAR S SHASTRI., SENIOR COUNSEL FOR;
SRI. GURURAJ. R.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF REVENUE,
M.S.BUILDING,
BENGALURU - 560 001



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2. ASSISTANT COMMISSIONER AND
COMPETENT AUTHORITY,
TUMKUR SUB-DIVISION,
TUMKUR - 572 101
3. JAYARAMAIAH
S/O RANGAPPA,
AGED ABOUT 45 YEARS
R/AT HANCHIHALLI VILLAGE,
KORA HOBLI,
TUMKUR TALUK AND DISTRICT - 572 128
4. P.R.PRAHABAKAR
S/O RAMUNNI,
R/AT NO.186,
RASAPPA CHETTY STREET,
CHENNAI TAMIL NADU STATE - 600 003

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE N.,HCGP FOR R1 AND R2;

SRI. V B SIDDARAMAIAH.,ADVOCATE FOR R3;

NOTICE TO R4 - D/W, V/O DT: 19.12.2025)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
ORDER DATED 30.11.2017 PASSED IN APPEAL NO.1135 OF
2006 BY THE KARNATAKA APPELLATE TRIBUNAL AT
BENGALURU AS PER ANNEXURE-P AND ETC.

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



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

ORAL ORDER

Heard Sri. Vigneshwar S Shasthri, learned Senior Counsel appearing for Sri. Gururaj R., learned counsel for the petitioners, Sri. Spoorthy Hegde N., learned High Court Government Pleader for respondent Nos.1 and 2 and Sri. V.B.Siddaramaiah, learned counsel appearing for respondent No.3.

2. In this writ petition, the petitioners are assailing the order dated 30.11.2017 (Annexure-P) in Appeal No.1135/2006 on the file of the Karnataka Appellate Tribunal, Bengaluru.

3. Learned Senior Counsel appearing for the petitioners have invited the attention of this Court to the order dated 17.01.2006 (Annexure-G) passed by respondent No.2 - Competent Authority under Sections 77(2A) and (2B) and Section 78 of the Karnataka Land Reforms Act, 1961, wherein the land in question to an



extent of 4.38 acres of land bearing Survey No.11 of Hanchihalli Village, Kora Hobli, Tumakur Taluk and District was granted in favour of the petitioners' mother - Smt. Parvathamma and the same was confirmed by the Karnataka Appellate Tribunal in Appeal No.761/2006 dated 10.01.2007 (Annexure-K) filed by the wife and children of one Thopaiah. Therefore, it is contended that, the very same impugned order passed by the Competent Authority therein was challenged in Appeal No.1135/2006 by Jayaramaiah. The Karnataka Appellate Tribunal has allowed the said appeal, and as such set aside the order dated 17.01.2006 (Annexure-G) passed by the Competent Authority. Therefore, it is also contended that, the Karnataka Appellate Tribunal, Bengaluru has passed two orders on the same impugned order, which is not permissible under law and accordingly, sought for interference of this Court.

4. *Per contra*, Sri. V.B.Siddaramaiah, learned counsel appearing for respondent No.3 contended that,



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against the order dated 10.01.2007 (Annexure-K) in Appeal No.761/2006 passed by the Karnataka Appellate Tribunal, the beneficiary of the land in question has filed W.P.No.4748/2007 before this Court and this Court vide order dated 28.06.2007 (Annexure-L), dismissed the writ petition for non-compliance of the office objections. Therefore, the said order dated 28.06.2007 (Annexure-L), passed by this Court is not binding as the matter was not heard on merits. Therefore, the impugned order dated 30.11.2017 (Annexure-P) in Appeal No.1135/2006 passed by the Karnataka Appellate Tribunal, Bengaluru is just and proper and accordingly, sought for dismissal of the petition.

5. Learned High Court Government Pleader for respondent Nos.1 and 2 also sought to justify the impugned order.

6. In the light of the submission made by the learned counsel appearing for the parties and on careful



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consideration of the same, would indicate that respondent No.2 as per order dated 17.01.2006 (Annexure-G), has granted the land to an extent of 4.38 acres in Survey No.11 of Hanchihalli Village, Kora Hobli, Tumakur Taluk and District. The said order was questioned before the Karnataka Appellate Tribunal, Bengaluru in Appeal No.761/2006 and the Karnataka Appellate Tribunal vide order dated 10.01.2007 (Annexure-K), has rejected the appeal filed by the appellants therein and as such, the order dated 17.01.2006 (Annexure-G) passed by the Competent Authority has been confirmed.

7. In that view of the matter, taking into consideration the order dated 28.06.2007 (Annexure-L) in W.P.No.4748/2007, wherein this Court dismissed the petition as the petitioners have not complied with the office objection, neither the said order has been challenged nor the review petition has been filed.



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8. In that view of the matter, I find force in the submission made by the learned Senior Counsel appearing for the petitioners that, the Karnataka Appellate Tribunal, could not have maintained the appeal in Appeal No.1135/2006 (Annexure-N), wherein the very same order passed by the Competent Authority was challenged for the second time by the other beneficiaries in respect of the land in question.

9. In that view of the matter, the observation made by the Karnataka Appellate Tribunal, Bengaluru at Annexure-P requires to be set aside. Accordingly, I pass the following:

ORDER

- i. The Writ Petition is ***allowed.***
- ii. The order dated 30.11.2017 (Annexure-P) in Appeal No.1135/2006 on the file of the



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Karnataka Appellate Tribunal, Bengaluru is
accordingly set aside.

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

PHM
List No.: 1 Sl No.: 49