



NC: 2026:KHC:42296
WP NO.19117 OF 2014

CNR: KAHC010150662014

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF AUGUST, 2026

BEFORE

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

WRIT PETITION NO.19117 OF 2014 (KLR-RR/SUR)

BETWEEN:

V. NARAYANAPPA
S/O DASARI VENKATARAMANAPPA
SINCE DECEASED, BY LRS.

1(a). SMT. PUTTA ARASAMMA
W/O LATE V. NARAYANAPPA,
AGED ABOUT 63 YEARS.

1(b). SRI. MANJUNATH N.
S/O LATE V. NARAYANAPPA,
AGED ABOUT 40 YEARS.

1(c). SMT. PADMAVATHI M.V.
D/O LATE V. NARAYANAPPA,
AGED ABOUT 45 YEARS.

1(d). SMT. MANGAMMA N.
D/O LATE V. NARAYANAPPA,
AGED ABOUT 42 YEARS.

1(e). SMT. ROOPA N.
D/O LATE V. NARAYANAPPA,
AGED ABOUT 40 YEARS.

ALL ARE RESIDING AT:
RAILWAY FEEDER ROAD,
GANDHI CIRCLE, MALUR TOWN,
MALUR TALUK,
KOLAR DISTRICT - 563 130.

...PETITIONERS

(BY SRI. D.R. RAVISHANKAR, SENIOR COUNSEL FOR
SRI. K.S. NARAYANA SWAMY, ADVOCATE)

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CHAYAS A
Location: HIGH
COURT OF
KARNATAKA



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AND:

1. THE DEPUTY COMMISSIONER
KOLAR DISTRICT,
KOLAR - 563 101.
2. THE TAHSILDAR
MALUR TALUK,
MALUR,
KOLAR DISTRICT - 563 130.
3. SMT. GOWRAMMA
W/O SRIRAMA REDDY,
SINCE DECEASED, BY LRS.
- 3(a). M.S. NAGIAIAH REDDY
S/O M.A. SRIRAM REDDY,
AGED ABOUT 68 YEARS.
- 3(b). M.S. DEVARAJ REDDY
S/O M.A. SRIRAM REDDY,
AGED ABOUT 64 YEARS.
- 3(c). M.S. VENKATACHALAPATHI REDDY
S/O M.S. SRIRAM REDDY,
AGED ABOUT 62 YEARS.

RESPONDENTS 3(a) TO 3(b) ARE
R/O NO.149, PATEL LAYOUT,
MALUR TOWN,
KOLAR DISTRICT - 563 130.
4. M.A. ANNAIAH REDDY
S/O ANJANEYA REDDY,
SINCE DECEASED, BY LRS.
- 4(a). SMT. S.V. RATHNAMMA
W/O LATE M.A. ANNAIAH REDDY,
AGED ABOUT 78 YEARS,
R/O PATELARA BEEDI,
MALUR TOWN,
KOLAR DISTRICT - 563 130.



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4(b). SMT. M.A. VIMALA
D/O LATE M.A. ANNAIAH REDDY,
AGED ABOUT 55 YEARS,
R/AT NO.2/6, NEAR GOVT. OLD MIDDLE SCHOOL,
SORAHUNASE VILLAGE, VARTHUR,
BENGALURU - 560 087.

4(c). SMT. M.A. BHARTHI
D/O LATE M.A. ANNAIAH REDDY,
AGED ABOUT 50 YEARS,
R/AT NO.303, C-BLOCK,
MID TOWN APARTMEENT, VARTHUR,
BENGALURU - 560 087.

4(d). SMT. M.A. SAVITHA
D/O LATE M.A. ANNAIAH REDDY,
AGED ABOUT 47 YEARS,
R/AT NO.2/6, 1ST CROSS,
SAIBABA NAGAR, MUNNEOLALU,
BENGALURU - 560 066.

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA FOR R1 AND R2;
SRI. N. BAYYA REDDY, ADVOCATE FOR R3(a) TO R3(c);
SRI. K.B. NARAYANA SWAMY, ADVOCATE FOR R4(a) TO R4(d))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO
QUASH THE ORDER DATED 10TH DECEMBER, 2013 PASSED BY
THE RESPONDENT NO.1-DEPUTY COMMISSIONER, KOLAR
DISTRICT IN CASE NO.LND.CR/39/2010-11 VIDE ANNEXURE-P;
AND ETC.

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

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



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ORAL ORDER

In this petition, petitioner has challenged the order dated 10th December, 2013 (Annexure-P) passed by the respondent No.1-Deputy Commissioner, Kolar District in Case No.LND.CR/39/2010-11.

2. It is the case of petitioner that, he is the absolute owner of land measuring 24 guntas comprised in Survey No.165 of Malur Village, Malur Taluk, Kolar District, which was granted to his father *viz.*, Dasari Venkataramanappa during the year 1947-48 as per the Grant Certificate produced at Annexure-A. In pursuant to the same, revenue records in respect of the land in question were made in favour of Dasari Venkataramanappa. The copies of index of lands and record of rights are produced at Annexures 'F' and 'G'. The petitioner has also produced copies of Pahani from the year 1965-66 to 1985-86 at Annexure-H series and Tax paid receipts at Annexure-J series. It is stated in the petition that the father of petitioner was in possession of the land in question and after his death, the revenue records were transferred in favour of the petitioner herein namely, V. Narayanappa. It is also stated



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that, after computerization of revenue records, the name of the petitioner was not shown in the revenue records and therefore, the petitioner made a representation to the respondent-Tahsildar, seeking to enter his name in the revenue records, however, the respondent No.2 without considering the request of the petitioner had sent a proposal to the higher authorities for granting the land in question in favour of one Smt. Manjula W/o Nagesh and issued endorsement to the petitioner stating the land in question is a Government land. Being aggrieved by the same, the petitioner preferred Writ Petition No.281/2008 before this Court, seeking direction to the respondent-Authorities to consider the request of the petitioner to continue his name in the R.T.C. and Pahani and to issue computerised pahani of the land in question. This Court, by order dated 13th February, 2008 (Annexure-L), directed the Assistant Commissioner, Kolar Sub-Division to consider the representation of the petitioner to continue his name in the revenue records, after verifying whether the land in question was granted to father of the petitioner. In furtherance of the same, the Regional Commissioner passed order dated 13th November, 2009 (Annexure-M). Being aggrieved by the said



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order, the petitioner filed Writ Petition No.6241 of 2010 and this Court, by order dated 20th February, 2013 (Annexure-N), remitted the matter to the Regional Commissioner, Bengaluru for consideration afresh. Thereafter, the respondent No.1 passed the impugned order dated 10th December, 2023 (Annexure-P). Hence, the petitioner filed the present petition.

3. Heard Sri. D.R. Ravishankar, learned Senior Counsel on behalf of Sri. K.S. Narayana Swamy, appearing for petitioners 1(a) to 1(e); Smt. B.P. Radha, learned Additional Government Advocate appearing for respondents 1 and 2; Sri. N. Bayya Reddy, learned counsel appearing for respondents 3(a) to 3(c) and Sri. K.B. Narayana Swamy, learned counsel appearing for respondents 4(a) to 4(d).

4. Sri. D.R. Ravishankar, learned Senior Counsel appearing for petitioners, by referring to the paragraph 3 of the order dated 20th February, 2013 (Annexure-N) passed by this Court in Writ Petition No.6241/2010 c/w. Writ Petition No.923/2010 contended that, this Court has already seen records in respect of the land in question as to the grant made in favour of the father of the petitioner viz., Dasari



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Venkataramanappa. In this regard, learned Senior Counsel appearing for petitioners referred to the judgment of Hon'ble Supreme Court in the case of **SANJIV KUMAR vs. SHAKUNTLA DEVI AND OTHERS** reported in 2020 *Supreme(SC) 820* and argued that the Doctrine of *res judicata* is applicable to the factual aspects of the case on hand. Accordingly, learned Senior Counsel sought for interference of this Court.

5. Per contra, Smt. B.P. Radha, learned Additional Government Advocate appearing for respondents 1 and 2, by referring to the observation made by the respondent No.1 in the impugned order and contended that, there are certain discrepancies in respect of documents. Accordingly, learned Additional Government Advocate submits that the impugned order requires to be confirmed in the present petition.

6. In the light of submission made by learned counsel appearing for the parties, on careful consideration of the averments made in the writ petition, it is forthcoming that the land in question has been granted in favour of the father of the petitioner viz., Dasari Venkataramanappa and thereby, as there



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is a discrepancy insofar as the ownership is concerned, Writ Petition No.6241/2010 and Writ Petition No.923/2010 were filed before this Court. This Court, after considering the material on record, by order dated 20th February, 2013 (Annexure-N) disposed of the petitions. Paragraph 3 of the said order dated 20th February, 2013 reads as under:

"3. The learned counsel for the petitioner submitted that the Regional Commissioner has committed an error in holding that documents referred are forged and fabrications. In the grant made, the copy of which is sent to the Director of Land Records to survey the property, the name of the petitioner is referred. The learned counsel for the petitioner challenged the claim stating that the land measuring 24 guntas in Sy.No.165 and at column No.9 of RTC for the year 1965-66, his name is referred to. Hence, his prayer is to delete the entry of the petitioner in the first petition. There is a inter-se dispute between the petitioner in the first petition and petitioner in the second petition. In order to ascertain whether the petitioner has really made false claim, learned Government Pleader was directed to secure the original records. Accordingly, the original records have been secured. The revenue survey has been perused from the register in respect of these lands, wherein the original grantee is on by name Dasari Venkataramanappa. The land measuring 24 guntas in Revenue Survey as on 21.11.1959. The original grantee



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Venkata Ramanappa s/o Venkata Shamappa name has been found in the revenue records. In view of the original entry made in the above said register, it is false for Regional Commissioner to arrive at the conclusion on the basis of the alleged entries and insertion. If he had examined these two documents, the order of the Regional Commissioner would have been different and ought to must be in favour of the petitioner. Under these circumstances, the matter is remanded to the Deputy Commissioner to consider and pass an appropriate order after examining both kardadar register and pakka register, since the Deputy Commissioner is having jurisdiction to pass an appropriate order. Hence, I pass the following:

ORDER

- 1. Proceedings before the Regional Commissioner vide Annexure-J is restored to file.*
- 2. The petitioner in Writ Petition No.6241/10 and petitioner in Writ Petition No.923/10 are directed to appear before the Deputy Commissioner on 15.03.2013 at 10.30 A.M. without await any notice from Government.*

Accordingly, the writ petitions are disposed of."

(emphasis supplied)

7. This Court has noted that the respondent No.1 has to look into the Kardadar register and Pakka register as to the grant made in favour of the father of the petitioner viz., Dasari



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Venkataramanappa. On careful consideration of the impugned order dated 10th December, 2013 (Annexure-P), it is forthcoming that the respondent No.1 has not stated anything about the observation made by this Court as to the direction issued to consider the Kardadar register and Pakka register. Therefore, I find force in the submission made by learned Senior Counsel appearing for petitioners. Hence, the following:

ORDER

- (i) Writ Petition ***allowed;***
- (ii) Order dated 10th December, 2013 (Annexure-P) passed by the respondent No.1 in Case No.LND.CR/39/2010-11 is hereby set-aside;
- (iii) The respondent No.1 is directed to verify the original records available in their office as to the direction issued by this Court at paragraph 3 of the order dated 20th February, 2013 (Annexure-N) passed in Writ Petition No.6241/2010 c/w. Writ Petition No.923/2010 and take decision in the matter in accordance with law;
- (iv) Since the parties were represented by their respective learned counsels, parties are



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directed to appear before the respondent No.1
on **07th September, 2026** at **03.00 p.m.;**

- (v) The respondent No.1 is directed to take decision in the matter at the earliest, in any event, within an outer limit of four months from the date of appearance of the parties;
- (vi) It is made clear that, this Court has not expressed any opinion on merits of the case and it is open for the parties to supply the relevant documents to enable the respondent No.1 to take decision in the matter.

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