



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 12499 OF 2024 (KLR-RES)

BETWEEN:

1. R NAGARAJU
S/O LATE RAMAIAH,
AGED ABOUT 72 YEARS,
2. R SUBRAMANYA
S/O LATE RAMAIAH,
AGED ABOUT 60 YEARS,
3. NAGARAJU
S/O LATE DODDARAMAIAH @ RAMABOVI,
AGED ABOUT 71 YEARS,

ALL ARE AGRICULTURISTS,
R/O BELAVATTA VILLAGE,
R B I POST KASABA HOBLI,
MYSORE TALUK, MYSORE DIST - 572 219

...PETITIONERS

(BY SRI. C.H.JADHAV, SR. ADVOCATE FOR
SRI. SAGAR B.B., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY ITS SECRETARY,
REVENUE DEPARTMENT,
M S BUILDING,
BANGALORE 560001.

Digitally signed
by JUANITA
THEJESWINI

Location: HIGH
COURT OF
KARNATAKA



2. THE DEPUTY COMMISSIONER
MYSORE DISTRICT,
MYSORE 570 001.
3. THE ASST COMMISSIONER
MYSORE SUB DIVISION,
MYSORE 570 001.
4. THE TAHSILDAR
MYSORE TALUK,
MYSORE 570001.
5. B VASU
S/O BALAKRISHNAN,
BY HIS GPA HOLDER VETRIVANDAN
S/O BALASUNDARAM,
NO 2/5, TIRUVALLAVAR STREET,
PEDURU, AMBATTURU,
CHENNAI 524 311

...RESPONDENTS

(BY SMT.B.P.RADHA, AGA FOR R1 TO R4;
SRI. SREENIVASA D.C., ADVOCATE FOR
IMPLEADING APPLICANT)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR RELEVANT RECORDS; QUASHING THE ORDER DTD 09.01.2024 PASSED BY THE DEPUTY COMMISSIONER IN NO.76/2020(RD 005-0000290734) PRODUCED AT ANNEXURE-G. GRANT AN INTERIM ORDER TO STAY THAT PART OF THE ORDER DTD 09.01.24 PASSED BY THE DEPUTY COMMISSIONER IN NO. 76/20 (RD 005-0000290734) THEREBY DIRECTING THE TAHASILDAR TO CONTINUE THE NAME OF THE R5 IN RTC COL NO.11 PRODUCED AT ANNEXURE-G.

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



CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

The petitioners are aggrieved of the impugned order dated 09.01.2024 at Annexure-G, passed by the respondent-Deputy Commissioner, Mysore District in proceedings bearing number R.P.No.76/2020.

2. The 5th respondent had filed an appeal before the Assistant Commissioner, Mysore Sub-Division in R.A.No.200/2014 under Section 136(2) of the Karnataka Land Revenue Act, 1964, (hereinafter referred to as 'the KLR Act', for short) calling in question the mutation order in M.R.No.H59/2012-13. The Assistant Commissioner noticed the fact that the mutation order in M.R.No.H59/2012-13 was passed by the Tahsildar pursuant to the orders passed by the Assistant Commissioner in PTCL No.86/1979-80 dated 02.07.1982 under the provisions of Section 5 of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 (hereinafter referred



to as 'the PTCL Act', for short.) That being the position, the Assistant Commissioner rejected the appeal. There were some typographical errors in the order passed by the Assistant Commissioner and therefore, on an application filed under Section 58 of the KLR Act, the Assistant Commissioner passed an order on 19.08.2020 correcting the typographical errors. Similarly, one more order was passed by the Assistant Commissioner on 24.08.2020 making some corrections. Nevertheless, the 5th respondent thereafter filed a revision petition before the Deputy Commissioner in R.P.No.76/2020 challenging the orders passed by the Assistant Commissioner, under Section 136(3) of the KLR Act. The Deputy Commissioner, while noticing that there were three sets of orders passed by the Assistant Commissioner in the proceedings under the PTCL Act, one in PTCL No.86/1979-80 dated 02.07.1982 where the application is rejected; in PTCL No.70/1979-80 dated 22.09.1982 where the application is allowed and the lands in question are directed to be resumed in favour of the



Government and to be restored in favour of the legal heirs of the original grantee; in PTCL No.71/1979-1980 dated 15.03.1983 the application is rejected. Regard being had to the three orders, the Deputy Commissioner allowed the revision petition and set aside all the three orders passed by the Assistant Commissioner under the provisions of the PTCL Act.

3. Learned Senior Counsel, Sri. C.H. Jadhav, appearing for the petitioners submitted that it was impermissible for the Deputy Commissioner to have quashed the orders passed by the Assistant Commissioner under the provisions of the PTCL Act, in a revision petition filed under Section 136(3) of the KLR Act.

4. In the meanwhile, today Sri.Srinivasa D.C., learned Counsel seeks to file an impleading application on behalf of one Sri.Chikkaramaiah, who is said to be one of the two grantees of the land in question. Learned Counsel submits that another grantee, Sri.Doddaramaiah is no



more. However, pursuant to the orders passed by the Assistant Commissioner in the PTCL proceedings, when the lands were restored in favour of the original grantees, the lands were in fact restored in favour of the Sri.Chikkaramaiah who is alive even till today. The petitioners before this Court who claim to be the legal heirs of the original grantees - Sri.Doddaramaiah and Sri.Chikkaramaiah are imposters and they are not the legal heirs of the original grantees. With these contentions the impleading applicant seeks to come on record as a petitioner in this petition.

5. Insofar as the 5th respondent is concerned, learned Counsel for the 5th respondent submits that no infirmity can be found in the impugned order passed by the Deputy Commissioner, since he has found that there are three sets of orders passed by the Assistant Commissioner and it was impermissible for the Assistant Commissioner to have passed three orders in respect of the same cause and action.



6. Having heard the learned Counsel for the petitioners, learned Counsel for the 5th respondent, learned Counsel for the proposed impleading applicant, learned Additional Government Advocate and on perusing the petition papers, this Court is of the considered opinion that for the purpose of consideration of this writ petition where a challenge is raised to the impugned order passed by the Deputy Commissioner at Annexure-G, it would suffice for this Court to hold that the impugned order is bad in law. A revision petition filed under Section 136(3) pertaining to the revenue entries under the Provisions of the Karnataka Land Revenue Act, does not empower the Deputy Commissioner to set aside orders passed by the Assistant Commissioner under the provisions of the PTCL Act. To that extent, the submissions made by the learned Senior Counsel appearing for the petitioners is to be upheld.

7. Insofar as the dispute between the petitioners and the proposed impleading applicant is concerned, the



same is to be relegated to the competent authority and the aggrieved person will have to either approach the competent authority or a competent civil court to redress their grievances.

8. In the light of the above, the writ petition is ***allowed***. The impugned order dated 09.01.2024 at Annexure-G passed by the Deputy Commissioner, Mysore District in proceedings bearing R.P.No.76/2020, is hereby quashed and set aside. Liberty is however reserved to the 5th respondent to rise a challenge to the orders passed by the Assistant Commissioner under the provisions of the PTCL Act in accordance with law, bearing in mind the law of limitation.

9. Pursuant thereto, the revenue entries shall be restored as it was prior to the passing of the impugned order. The respondent-Tahsildar, Mysuru Taluk and the Deputy Commissioner, Mysore District, are hereby directed to restore the revenue entries as it was prior to the



passing of the impugned order, as expeditiously as possible and at any rate within a period of six weeks from the date of receipt of a copy of this order.

Ordered accordingly.

10. Pending Interlocutory Application(s), if any, stand disposed of.

**Sd/-
(R DEVDAS)
JUDGE**

DL