



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 8923 OF 2026 (KLR-RES)

BETWEEN:

1. MANJUNATHA MURTHY
S/O MADDURAPPA,
AGED ABOUT 54 YEARS,
R/A AMBEDKARNAGAR, MULLUR COLONY,
VARTHUR HOBLI, CARMELLARAM POST,
BANGALORE EAST TALUK - 560 035.
2. K.M. UMA SHANKAR
S/O MADDURAPPA,
AGED ABOUT 48 YEARS,
R/A AMBEDKARNAGAR, MULLUR COLONY,
VARTHUR HOBLI, CARMELLARAM POST,
BANGALORE EAST TALUK - 560 035.

...PETITIONERS

(BY SRI. SANDEEP MURTHY, ADVOCATE)

AND:

THE TAHASILDAR
SRINIVASAPURA TALUK,
SRINIVASAPURA
KOLAR DISTRICT - 563 135.

...RESPONDENT

(BY SMT. B.P. RADHA, AGA)

Digitally signed
by JUANITA
THEJESWINI
Location: HIGH
COURT OF
KARNATAKA



THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A) ISSUE A WRIT OR DIRECTION IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENT AUTHORITY TO EFFECT/REGISTER MUTATION/KHATA IN THE NAME OF PETITIONERS CONSIDERING THE REPRESENTATION DATED 22/08/2025, WHICH IS PRODUCED AT ANNEXURES-A AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

Learned Additional Government Advocate takes notice for the respondent-Tahsildar.

2. The grievance of the petitioners is that the respondent-Tahsildar, Srinivasapura Taluk, has not taken action on the representation at Annexure-A given by the petitioners to enter their names in the revenue records pursuant to the Will left behind by their father, late Sri.Maddurappa S/o Kureshappa, who is also the Khathedar in respect of 3 acres of land in Survey No.115 of Yadaganappalli Village, Rayalapadu Hobli, Srinivasapura Taluk. Learned counsel submits that the



representation was given on 22.08.2025 and till date no action has been taken by the Tasildar.

3. This Court in W.P.No.4071/2026 disposed of on 13.02.2026, has considered the provisions of the Karnataka Sakaala Act, 2011 (hereinafter referred to as 'the Act' for short), which mandates 60 days for the Tahsildar to change the khata in terms of the registered instruments or by way of succession, failure of which incurs costs in terms of the provisions of the Act. This Court has also held in the case of **Smt.Ramadevi Vs. Tahsildar and Others in W.P.No.4131/2023** dated **24.02.2023**, that the Tahsildar is required to follow the procedure prescribed in Section 129 of the Karnataka Land Revenue Act, 1964, before considering such a request based on a Will.

4. For the sake of convenience, relevant paragraphs of the orders passed by this Court in the case of **Smt. Ramadevi** (supra) is culled out as follows:

"4. *Having considered the various cases such as **Vijayalakshmi and Another /vs./ The Deputy Commissioner, Gulbarga and Others** reported in **ILR 2007 KAR 3814, Sri P.K.Vasudevan /vs./***



HC-KAR

NC: 2026:KHC:17717
WP No. 8923 of 2026

Deputy Commissioner-(2002) 4 KCCR 2285/(2002) Supreme (Kar) 283 and Shanthinath /vs./ Deputy Commissioner, Gulbarga Sub-division and Others-2010 (2) KCCR 992, this court held that in the absence of any dispute, it is of course open to the revenue authorities to make an entry in the revenue records in favour of the person in whose favour the property is bequeathed under a Will, whether it is a registered or unregistered Will. However, having regard to the ratio laid down in the case of **Vijayalakshmi and P.K.Vasudevan (supra)**, this court held that the Tahsildar was required to follow the procedure prescribed in Section 129 of the Karnataka Land Revenue Act, 1964, before considering such a request based on a Will. Section 129 clearly prescribes that the prescribed officer is required to make an entry in the Register of Mutations any such request/ application and at the same time, he shall post a complete copy of the entry in a conspicuous place in the chavadi (present day Gram Panchayat) and shall give written intimation to all persons appearing from the Record of Rights or Register of Mutations to be interested in the mutation and to any other person whom he has reason to believe to be interested therein. On such notification being published, if the prescribed Officer receives any objection, then he may direct the applicant to approach a competent Civil Court to get a declaration in his/her favour that he/she is the owner of the property in terms of the Will. On the contrary, if no such objections are received, the prescribed Officer may proceed to enter the name of the applicant on the strength of a Will, be it registered or unregistered. In the present case, the Tahasildar has not passed any orders till date."

5. Consequently, the writ petition stands **disposed of** by imposing costs of ₹500/- on respondent-Tahsildar, srinivaspura taluk, payable to the petitioners along with the



order of change of katha. The respondent-Tahsildar is directed to publish the information regarding the claim made by the petitioner in respect of 3 acres of land in Survey No.115 of Yadaganappalli Village, Rayalapadu Hobli, Srinivasapura Taluk and call for objections from all interested persons. If objections are received within the prescribed time i.e., 30 days as provided in Section 129 of the Act, then the respondent-Tahasildar is empowered to issue an endorsement to the petitioner regarding the objection and call upon him to get a declaration of his rights under the Will. If there are no objections raised from any quarters, the Tahasildar shall proceed to enter the names of the petitioners, insofar as, the property in Sy.No.115 measuring 3 acres, which is situated at Yadaganappalli Village, Rayalapadu Hobli, Srinivasapura Taluk is concerned, in terms of the Will left behind by late Sri.Maddurappa S/o Kureshappa and this exercise shall be completed within a period of 6 weeks from the date of receipt of a copy of this order. In the event that objections are received then the respondent-Tahsildar shall proceed to mutate the names of the rightful owner within a period of six weeks from the date of receipt of a copy of the order of declaration



that shall be passed by the competent Civil Court. Needless to observe that the entry made by the Tahsildar, if no objections are received, will not preclude any interested person to challenge the entries made in the land records.

Ordered accordingly.

Learned Additional Government Advocate is permitted to file memo of appearance within a period of four weeks from today.

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

rv
List No.: 1 Sl No.: 21