



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 12123 OF 2024 (LB-BMP)

BETWEEN:

B RUKMINIAMMA @ RUKKAMMA
W/O LATE SRI K.V.S. RAMASWAMY AND
D/O LATE SRI N BALAKRISHANAIAH,
AGED ABOUT 92 YEARS,
R/AT NO.2613 (OLD NO.79)
37TH B CROSS,
26TH MAIN ROAD,
9TH BLOCK,
JAYANAGAR,
BANGALORE-560069
REPRESENTED BY POWER OF
ATTORNEY HOLDER,
MR. HARI PRASAD SAMPATH.

...PETITIONER

(BY SRI. KASHYAP N NAIK., ADVOCATE)

AND:

1. ASSISTANT REVENUE OFFICER
GANDHINAGARA SUB-DIVISION,
BRUHATH BENGALURU
MAHANAGARA PALIKE,

Digitally
signed by
VANAMALA
N



Location:
HIGH
COURT OF
KARNATAKA



BENGALURU-560001.

2. D H NAGARAJ
S/O LATE HUCHCHEERAI AH,
AGED ABOUT 59 YEARS,
R/AT NO.3,
8TH BLOCK,
BRIYAND SQUARE,
POLICE QUARTERS,
MYSORE ROAD,
BANGALORE-560002.

...RESPONDENTS

(BY SRI. MONESH KUMAR K B., ADVOCATE FOR R1;
SRI. MANJUNATH L.V., ADVOCATE FOR R2)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER OF R-1 IN MUTATING/CHANGING THE KHATA AND OTHER MUNICIPAL RECORDS OF THE SCHEDULE PROPERTY IN THE NAME OF THE R-2 (ANNEXURE-A); DIRECTING THE R-1 TO REVERT THE KHATA AND OTHER MUNICIPAL RECORDS IN RESPECT OF THE SCHEDULE PROPERTY IN NAME OF THE PETITIONER, AS IT STOOD PRIOR TO THE DATE OF THE ORDER OF R-1 CHANGING THE KHATA (ANNEXURE-G AND H)

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

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD



ORAL ORDER

The dispute is over the change in the revenue entries for the immovable property bearing PID No.27-13-176, within the BBMP Ward No.94, Gandhinagar, Bengaluru [*the subject property*]. The petitioner seeks quashing of this change in the revenue entries. This Court, on 25.04.2024, has recorded the circumstances canvassed to support the petitioner's request for interference with the revenue entries.

2. These circumstances as canvassed when read with the averments in the petition are that **[a]** the subject property was owned by a former Judge of this Court; **[b]** the property devolved on the petitioner and her sister - Smt. B. Savitri; **[c]** the petitioner is the plaintiff and she has filed the original suit in O.S.No.10239/2014 against others including the second respondent, and **[d]** the petitioner has the



benefit of a compromise decree in the suit in O.S.No.10239/2014.

3. It is undisputed that while other defendants are parties to the compromise, the second respondent has not signed the compromise petition. However, there are two other suits in O.S.No.7857/2011 and O.S. No.3278/2020. The petitioner and her sister, Smt. B. Savitri, have prosecuted the suit in O.S.No.7857/2011 resulting in a declaration that the power of attorney executed by their late brother in favour of a third person is void. The second respondent has filed a suit in O.S.No.3278/2020 on the file of the Principal City Civil Court at Bengaluru and during the pendency of this suit has initiated proceedings under the Indian Succession Act, 1925 for probate of a perpetual Will executed by the petitioner's brother. Subsequently, the second respondent has withdrawn the suit in O.S.No.3278/2020.



4. The probate proceedings are pending adjudication with the petitioner contesting. In the interregnum, the revenue entries in favour of the petitioner are altered. The petitioner is given the benefit of the revenue entries for the subject property in terms of the compromise decree in O.S.No.10239/2014 dated 20.10.2022. This Court, in the aforesaid circumstances, has granted an interim order on 25.04.2024. This order has remained in force with the second respondent not participating in the present proceedings despite the copies having been served on the learned counsel on record in the pending probate proceedings.

5. The petitioner's specific case is that the revenue entries made after the compromise are altered at the second respondent's instance despite the afore circumstances. Sri Kashyap N. Naik, the learned counsel for the petitioner, and Sri Monesh



Kumar K.B., the learned counsel for the first respondent, are heard on whether there must be interference with the decision to change the revenue entries in the circumstances as stated above.

6. The second respondent asserts a legacy under a testament, and unless that legacy is vindicated by an adjudication on the objections filed by the petitioner, the revenue entries in favour of the second respondent will not be just. This undermines the locus of the second respondent to seek the changes of the revenue entries for the subject property in his favour. Therefore, this Court must restore the revenue entries in favour of the petitioner observing that this restoration will be subject to the outcome in the pending probate proceedings and that the second respondent cannot in any manner be prejudiced by this outcome in prosecuting the probate proceedings for vindication of interest in the subject property. Hence, the following:



ORDER

The petition is allowed quashing the change of the revenue entries for the subject property in favour of the second respondent with a direction to the authorities to restore the revenue entries for the subject property in favour of the petitioner on terms as afore stated.

Sd/-
(B M SHYAM PRASAD)
JUDGE

SA
Ct:sr