



CNR: KAHC010280412026

NC: 2026:KHC:40164
WP No. 13253 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 13253 OF 2026 (BDA)

BETWEEN:

1. SRI. K.N. SANJAY
S/O. K. NARAYANASWAMY,
AGED ABOUT 36 YEARS,
R/AT. NO.41/1, OLD SOCIETY ROAD,
KODIGEHALLI VILLAGE,
SAHAKARANAGARA POST,
BENGALURU-560092
2. SMT. RAKSHA A.
W/O SANJAY K.N.
AGED ABOUT 32 YEARS,
R/AT. NO.41/1, OLD SOCIETY ROAD,
KODIGEHALLI VILLAGE,
SAHAKARANAGARA POST,
BENGALURU-560092

...PETITIONERS

(BY SRI. DILIP KUMAR I.S., ADVOCATE)

AND:

1. BENGALURU DEVELOPMENT AUTHORITY
KUMARA PARK WEST,
T. CHOWDAIAH ROAD,
BENGALURU-560020
REPRESENTED BY ITS COMMISSIONER
2. REVENUE OFFICER (N)
BENGALURU DEVELOPMENT AUTHORITY,
BENGALURU NORTH,
BENGALURU-560032

Digitally
signed by
HEMALATHA J
Location:
HIGH COURT
OF
KARNATAKA



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3. M.D.GANESH PRASAD
S/O M.N.DORESWAMY
AGED ABOUT 64 YEARS,
R/AT NO.4, GROUND FLOOR,
AMRITHA ENCLAVE,
23RD STREET, NAGANALLURU,
TAMILNADU-600061

AMENDED AS PER ORDER DATED 05.06.2026

4. HEMA URS H.Y.
D/O N. LEELA
W/O SHANTHARAJA URS
NO.1571, RANGOLI HALLA,
HASSAN-573021.

AMENDED AS PER ORDER DATED 31.07.2026

...RESPONDENTS

(BY SRI. KARTHIKEYAN B.S., ADVOCATE FOR RESPONDENT NOS.1
AND 2;

SRI. RAJATH, ADVOCATE FOR RESPONDENT NO.4;

VIDE ORDER DATED 10.07.2026, NOTICE TO RESPONDENT NO.3 IS
HELD SUFFICIENT)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE NOTICE
BEARING NO.BDA/RA(N)/438/2025-26 DATED 10.03.2026 ISSUED
BY THE 2ND RESPONDENT PRODUCED AT ANNEXURE-A.

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

CORAM: HON'BLE MR. JUSTICE R. NATARAJ



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ORAL ORDER

The petitioners have called in question a notice bearing No.ಬೆಂಗಳೂರು/ಕಂಠ(ಉ)/438/2025-26 dated 10.03.2026 issued by the respondent No.2.

2. (i) The petitioners claim that they purchased site No.71 situate at NTI layout, Rajeev Gandhi Nagara, 2nd Phase, Bengaluru from its owner Sri. M.D.Ganesh Prasad in terms of a sale deed dated 16.08.2024. They contend that consequent to the said sale, the khata in respect of the aforesaid property was transferred by respondent No.1 in their favour. They contend that they are in possession of the aforesaid property and that the khata stands in the name of petitioner No.1.

(ii) They contend that on 25.04.2025, Smt. Hema Urs lodged a complaint against them stating that her parents - Mr. Yograj Aras and Smt. Leela had purchased the aforesaid site from Mr. M. D. Ganesh Prasad son of late Sri. M.N.Doreswamy and that the registration of the sale deed was kept pending in the office of the Sub-Registrar on account of deficit stamp duty and registration fee. She contended that after the demise of



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her mother on 26.08.2002, her father also died on 16.09.2002, thereafter she paid the deficit stamp duty and registration fee on 25.03.2025 and got the sale deed registered in her favour.

(iii) She contended that since the petitioners had obtained a sale deed in respect of the very same property from an impersonator, a complaint was lodged before the jurisdictional police station who registered Cr.No.132/2025 against the petitioners.

(iv) The petitioners contended that after purchasing the aforesaid property, they mortgaged the same in favour of Tata Capital Housing Finance Ltd. by depositing the title deeds, which is evidenced by a document dated 06.09.2024 registered before the Senior Sub-Registrar, Ganganagara, Bengaluru. They contend that a fictitious person claiming to be Mr. M. D. Ganesh Prasad lodged a complaint before the respondent No.2 alleging that the sale deed executed in favour of the petitioners was fraudulent and therefore, sought for cancellation of the khata issued in the name of the petitioner No.1. Following this, the respondent No.1 issued the impugned notice dated



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10.03.2026. Being aggrieved by the said notice, the petitioners are before this Court challenging the same.

3. Learned counsel for the petitioners submit that the question whether the vendor of the petitioners was the respondent No.3 - Mr. M. D. Ganesh Prasad who was allotted the site by the NTI Housing Society, or an impersonator, cannot be determined by the respondent Nos.1 and 2 in proceedings relating to mutation of Khata. He contends that if the respondent No.3 disputes the sale deed executed in favour of petitioners, it is for him to challenge the same before the Civil Court. He contends that the respondent Nos.1 and 2 have no authority in law to disturb the E-khata standing in the name of the petitioner No.1 which is based on a registered sale deed. He thus contends that the impugned notice is a colourable exercise of power by the respondent No.2 and prays that the same be set at nought.

4. Per contra, the learned counsel for respondent No.4 submits that respondent No.3 - Mr. M.D.Ganesh Prasad son of late Sri. M.N.Doreswamy has filed an affidavit before this Court stating that he is the real owner of the aforesaid site and that



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he did not convey the same to the petitioners, but had conveyed it in favour of Smt. Leela. He therefore contends that the question whether the khata standing in the name of the petitioner No.1 is liable to be continued or cancelled requires consideration by respondent No.2. He therefore submits that if the petitioners have any grievance against the impugned notice, they may file their objections before the respondent No.2 who would consider the same and pass appropriate orders.

5. I have considered the submissions of learned counsel for the petitioners and the learned counsel for respondent No.4.

6. The petitioners claim to have purchased site No.71 situate at NTI layout, Rajiv Gandhi Nagar, 2nd Phase, Bengaluru from Mr. M.D.Ganesh Prasad son of late Sri. M.N.Doreswamy. It is not in dispute that the original allottee and owner of the property was Mr. M.D.Ganesh Prasad son of late Sri. M.N.Doreswamy. However, respondent No.3 claims that he is the owner of the property and that the petitioners have



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purchased the said property from an impersonator and not from him.

7. As rightly contended by the learned counsel for the petitioners, the aforesaid dispute can only be adjudicated by a competent Civil Court. The respondent No.2 cannot usurp the jurisdiction of the Civil Court to record any finding of fact. In that view of the matter, no useful purpose would be served in directing the petitioners to appear before the respondent No.2 and file their objections, as such an exercise would be futile.

8. In that view of the matter, the petition is **allowed**, the impugned notice bearing No.ಬೆಂಗಳೂರು/ಕೆಂಠ(ಉ)/438/2025-26 dated 10.03.2026 issued by the respondent No.2 is quashed. The respondent No.3 is at liberty to take necessary steps as provided in law, as against the sale deed claimed by the petitioners.

9. All contentions are kept open.

Sd/-
(R. NATARAJ)
JUDGE