



CNR: KAHC010316012013

NC: 2026:KHC:45912
WP No. 32170 of 2013

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF AUGUST, 2026

BEFORE

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

WRIT PETITION NO. 32170 OF 2013 (KLR-RES)

BETWEEN:

1. H MADIAIAH
S/O LATE KADEGOWDA,
DEAD BY HIS LR_s
- 1(A) SMT. ANUSUYAMMA
W/O LATE RAJANNA
D/O LATE H. MADIAIAH
AGED ABOUT 58 YEARS
R/O HANUMANTHAPURA VILLAGE
ATHAGUR HOBLI, MADDUR TALUK
MANDYA DISTRICT-571 401.
- 1(B) SMT. H.M. LEELAVATHI
D/O LATE H. MADIAIAH
SINCE DEAD BY HER LR_s
- 1(B)(A) M.P. THEJASWINI
D/O LATE H.M. LEELAVATHI
AGED ABOUT 47 YEARS
R/O. HANUMANTHAPURA VILLAGE
ATHAGUR HOBLI, MADDUR TALUK
MANDYA DISTRICT-571433.
- 1(B)(B) H.R.CHIDANANDA
S/O RAVI .H.M
GRAND SON OF LATE H.M. LEELAVATHI
AGED ABOUT 22 YEARS
R/O. HANUMANTHAPURA VILLAGE
ATHAGUR HOBLI, MADDUR TALUK

Digitally signed by
CHANDRA S A
Location: HIGH
COURT OF
KARNATAKA



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MANDYA DISTRICT-571433.

- 1(B)(C) H.R. NITHYANANDA
S/O RAVI .H.M
GRAND SON OF LATE H.M. LEELAVATHI
AGED ABOUT 24 YEARS
R/O. HANUMANTHAPURA VILLAGE
ATHAGUR HOBLI, MADDUR TALUK
MANDYA DISTRICT-571433.
[CAUSE TITLE AMENDED AS PER COURT ORDER]
2. SMT. LINGAMMA
W/O H.MADAIHA
AGED ABOUT 72 YEARS
R/O. HANUMANTHAPURA VILLAGE
ATHAGUR HOBLI, MADDUR TALUK
MANDYA DISTRICT-571401.

...PETITIONERS

(BY SRI. VINAY .D HOSMATH, ADVOCATE)

AND:

1. THE DEPUTY DIRECTOR OF LAND RECORDS
MANDYA DISTRICT, MANDYA-571401
2. THE TAHASILDAR
MADDUR TALUK, MADDUR
MANDYA DISTRICT-571401.
3. THE DEPUTY COMMISSIONER
MANDYA DISTRICT, MANDYA-571401.

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE .N, HCGP)

THIS WP FILED UNDER ARTICLES NO. 226 AND 227 OF
THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE
ORDER VIDE ANN-F, PASSED BY THE R1 VIDE NO.



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BHU.U.NI.AA.V.108/2006-07, DT.13.10.2010, BASE ON
A.T.R.31/06-07 DT.25.11.2006 AND ETC.

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

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

ORAL ORDER

Heard learned counsel appearing for the parties.

2. In this writ petition, the petitioners are assailing the order dated 13.10.2010 (Annexure-F) passed by respondent No.1, order dated 12.03.2013 (Annexure-G) passed by respondent No.3.

3. Having heard the learned counsel appearing for the parties and on careful consideration of the material on record, it is noticed that the petitioners are claiming right over the property based on the Grant Order made in favour of husband of petitioner No.2 during the year 1952-53. The petitioners have produced the Saguvali Chit at Annexure-A to the writ petition.



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4. It is also to be noted that the land in question was subjected to phodi as per Annexure-C to the writ petition and the petitioners are in cultivation of the land bearing Sy. No.585 measuring to an extent of 5 acres 20 guntas of Athagur Village, Maddur Taluk, Mandya District. It is also forthcoming from the RTC extracts produced at Annexure-D series, particularly, at Annexure-D3, wherein the name of petitioner No.2 has been shown in column No.12. However, the said RTC extracts do not disclose any subsequent phodi made in respect of the subject land as per Annexure-F to the writ petition. It is also to be noted that Sy. No.585 was subsequently re-numbered as Sy. No.144. However, the RTC extracts have been continued in the earlier Sy. No.585.

5. Taking into consideration the aforesaid aspects and on careful consideration of the findings recorded by the Deputy Commissioner, Mandya District, at Annexure-G, it is noticed that though the Deputy



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Commissioner has exercised jurisdiction under Section 56 of the Karnataka Land Revenue Act, 1964, the Deputy Commissioner has no jurisdiction to exercise revisional jurisdiction and pass the impugned order. In that view of the matter, the writ petition deserves to be allowed.

6. Accordingly, I proceed to pass the following;

ORDER

(i) The writ petition is ***allowed***.

(ii) The order dated 13.10.2010 (Annexure-F) passed by respondent No.1 and the order dated 12.03.2013 (Annexure-G) passed by respondent No.3 are hereby set-aside.

(iii) The matter is remitted to respondent No.1 to reconsider the matter and take appropriate decision in the matter, in accordance with law, after affording opportunity of hearing to all the parties concerned, and conclude the proceedings as expeditiously as possible.



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(iv) Since the petitioners are represented by their learned counsel and in order to avoid further delay in the matter, the petitioners are directed to appear before respondent No.1 on 29.09.2026 at 3.00 p.m. without awaiting any further notice.

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

NBM
List No.: 1 Sl No.: 45