



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF JULY 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 2326 OF 2019 (LB-RES)

BETWEEN:

VEERESH
SON OF AMARAPPA
AGED ABOUT 41 YEARS
NO.1054, 7TH MAIN, 3RD BLOCK
KORAMANGALA
BANGALORE-560 034.

...PETITIONER

(BY SRI. NITHIN PRASAD, ADVOCATE)

AND:

1. KAMALAMMA
D/O CHINNAPPA REDDY
WIFE OF CHOWDA REDDY
AGED ABOUT 77 YEARS
RESIDING AT:
CHIKKA MASJID ROAD
SARJAPUR, ANEKAL TALUK
BANGALORE DISTRICT - 562 125.
2. PANCHYAT DEVELOPMENT OFFICER
AND SECRETARY
YAMARE GRAMA PANCHAYAT
SARJAPUR HOBLI
ANEKAL TALUK
BANGALORE DISTRICT - 562 125.
3. MAHABALESHWARA
SON OF LATE SIDDARAMAIAH



MAJOR
ITTINA PROPERTIES PRIVATE LIMITED
NO.1054, 7TH MAIN, 3RD BLOCK
KORAMANGALA
BANGALORE-560 034

4. CHIEF EXECUTIVE OFFICER
APPELLATE AUTHORITY
ANEKAL TALUK PANCHAYAT OFFICE
ATTIBELE-ANEKAL ROAD
ANEKAL -562 107.

...RESPONDENTS

(BY SRI. K. SRINIVASA, ADVOCATE FOR R-1;
SRI. PRAKASH, ADVOCATE FOR R-2 & R-4;
VIDE ORDER DATED 18.01.2019 NOTICE TO R-3 IS
DISPENSED WITH)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO (I) ISSUE A WRIT
OF CERTIORARI OR ANY OTHER WRIT IN THE NATURE
OF CERTIORARI OR ANY OTHER WRIT, ORDER OR
DIRECTION QUASHING THE IMPUGNED ORDER DATED
20.06.2013 PASSED BY RESPONDENT NO.4 IN
PROCEEDINGS NO. VPC : APPEAL:14:2008-09
(ANNEXURE-R)

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 petitioner asserts ownership of a certain extent of lands in Sy. Nos.30/1 and 31/1 of Sompura Village, Sarjapur Hobli, Anekal Taluk and Sy.No.7/1 of Chikkadunnasandra Village, Sarjapur Hobli, Anekal Taluk [*the subject lands*] under three sale deeds that are dated 13.01.2004. The petitioner's grievance is with the fourth respondent's order dated 20.06.2013 [*Annexure-R*]. The fourth respondent, by the impugned order dated 20.06.2013, has cancelled the revenue entries for the subject lands in favour of the petitioner in exercise of jurisdiction under Section 269 of the Karnataka Gram Swaraj and Panchayathraj Act, 1993 on the ground that the revenue entries are despite pending proceedings in R.A.No.9/2002 as against the judgment and decree in O.S. No. 238/88 and F.D.P. No.1/2002.

Mr. Nithin Prasad, the learned counsel for the petitioner, submits that the petitioner's vendor



[*Ms. Kamalamma*] had executed the sale deeds in anticipation of the final decree in the suit for partition instituted by her in O.S.No.238/1988 which was pending in the final decree proceedings in FDP.No.1/2002 and that the civil Court has finally drawn the final decree in terms of the Commissioner's report with the Court Commissioner demarcating the portion sold by her in favour of the petitioner. The learned counsel also submits that thereafter, *Ms. Kamalamma* had filed a suit for permanent injunction in O.S.No.2/2011, but in terms of a copy of the order now placed on record, the suit is dismissed as not pressed but observing that she did not disclose the sale deeds in favour of the petitioner.

This Court must examine whether there must be interference with the fourth respondent's order in the light of these circumstances and the petitioner's specific case that he was not issued with any notice prior to the impugned order. This Court must opine



that the petitioner's rights in the subject lands is accrued with the Sale deeds dated 13.01.2004 during the pendency of the final decree proceedings, and that any defect in such transfer stands cured with the doctrine of feeding the grant by estoppel as contemplated under Section 43 of the Transfer of Property Act, 1882. This Court also opines that this gets reiterated with the first respondent withdrawing the suit in O.S.No.2/2011. These circumstances justify interference with the fourth respondent's order. Hence the following.

ORDER

The petition is allowed quashing the fourth respondent's order dated 20.06.2013
[Annexure - R].

Sd/-
(B M SHYAM PRASAD)
JUDGE

RB