



CNR: KAHC010355222024

NC: 2026:KHC:40587
WP NO.17459 OF 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 03RD DAY OF AUGUST, 2026

BEFORE

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

WRIT PETITION NO.17459 OF 2024 (LR)

BETWEEN:

1. SMT. LAKSHMAMMA
W/O LATE KEMPANNA,
D/O LATE MUNYAPPA,
AGED ABOUT 72 YEARS,
R/AT APPASANDRA VILLAGE,
JADIGENAHALLI HOBLI, HOSKOTE TALUK,
BENGALURU RURAL DISTRICT - 562 114.
2. SMT. BYATHAMMA @ BATHYAMMA
W/O GANGANNA,
D/O LATE MUNIYAPPA,
AGED ABOUT 68 YEARS,
R/AT KURUBARAHALLI VILLAGE,
KASABA HOBLI, HOSKOTE TALUK,
BENGALURU RURAL DISTRICT - 562 144.

...PETITIONERS

(BY SRI. ABHINAV RAMANAND A., ADVOCATE)

AND:

1. SMT. SHANTHAMMA
W/O LATE RAJANNA,
AGED ABOUT 57 YEARS.
2. SMT. R. SHYALAJA
D/O LATE RAJANNA,
W/O MUNIRAJU.
3. SRI. R. RAGHU KUMAR
S/O LATE RAJANNA,
AGED ABOUT 35 YEARS.

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CHAYA S A
Location: HIGH
COURT OF
KARNATAKA



**NC: 2026:KHC:40587
WP NO.17459 OF 2024**

CNR: KAHC010355222024

4. SRI. R. SUNIL KUMAR
S/O LATE RAJANNA,
AGED ABOUT 32 YEARS.
5. NARAYANAMMA
SINCE DEAD, BY LRS.
RESPONDENTS 1 TO 4 ARE LRS.
6. SRI. SOMAIAH @ MANJUNATHA
S/O LATE CHIKKAMUNIYAPPA,
AGED ABOUT 52 YEARS.
7. RATHNAMMA
SINCE DEAD, BY LRS.
RESPONDENTS 5 AND 6 ARE LRS.
8. SMT. MUNIAKKAYAMMA
W/O LATE MUNIYAPPA,
AGED ABOUT 70 YEARS.
9. SRI. M. NARAYANASWAMY
S/O LATE MUNIYAPPA,
AGED ABOUT 54 YEARS.
10. SRI. M. GOVINDAPPA
S/O LATE MUNIYAPPA,
AGED ABOUT 45 YEARS.
11. SRI. RAMESH
S/O LATE MUNIYAPPA,
AGED ABOUT 43 YEARS.
12. SMT. MANJULA
D/O LATE MUNIYAPPA,
AGED ABOUT 40 YEARS.
13. SRI. M SRINIVAS
S/O LATE MUNIYAPPA
AGED ABOUT 38 YEARS.



CNR: KAHC010355222024

RESPONDENTS 8 TO 13 ARE
R/AT APPASANDRA VILLAGE,
JADIGENAHALI HOBLI,
HOSKOTE TALUK,
BENGALURU RURAL DISTRICT - 562 114.

14. GOPAL SHETTY
DEAD.
NO STEPS NEED BE TAKEN IN TERMS OF
ORDER DATED 28.03.2025.
15. SRI. JANARDHAN M.
S/O MUNISHAMAPPA,
AGED ABOUT 58 YEARS,
R/AT 2ND CROSS, COURT CIRCLE,
HOSKOTE TALUK,
BENGALURU RURAL DISTRICT - 562 114.
16. THE DEPUTY COMMISSIONER AND
COMPETENT AUTHORITY
UNDER THE KARNATAKA
LAND REFORMS ACT, 1961
UNDER SECTION 77A,
BENGALURU RURAL DISTRICT,
PODIUM BLOCK,
BENGALURU - 560 001.
17. SMT. MOTAMMA
W/O RAMAIAH,
AGED ABOUT 75 YEARS,
R/OF APPASANDRA VILLAGE,
JADIGENAHALLI HOBLI,
HOSKOTE TALUK,
BENGALURU - 562 114.

...RESPONDENTS

(BY SRI. B. RAMESH, ADVOCATE FOR R1 TO R4 AND R6;
SRI. VIJAY KUMAR BHAT, ADVOCATE FOR R8 TO R13;
SMT. SHARADA H.V., AGA FOR R16;
R15 AND R17 - SERVED)



CNR: KAHC010355222024

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WP NO.17459 OF 2024

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER DATED 25TH APRIL, 2024 PASSED IN REVISION APPEAL NO.615/2013 BY THE KARNATAKA APPELLATE TRIBUNAL (CH-1) VIDE ANNEXURE-H AND CONSEQUENTLY, ALLOW THE IMPEADING APPLICATION FILED BY THE PETITIONERS AS PER ANNEXURE-E TO THE PRESENT WRIT PETITION; AND ETC.

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

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

ORAL ORDER

In this petition, petitioners are challenging the order dated 25th April, 2024 (Annexure-H) passed by the Karnataka Appellate Tribunal, Bengaluru in Revision Appeal No.615/2013 *inter alia*, sought for allowing the impleading application filed by petitioners vide Annexure-E.

2. Heard Sri. Abhinav Ramanand A., learned counsel appearing for petitioners; Sri. B. Ramesh, learned counsel appearing for respondents 1 to 4 and 6; Sri. Vijay Kumar Bhat, learned counsel appearing for respondents 8 to 13; and Smt. Sharada H.V., learned Additional Government Advocate appearing for respondent No.16.



CNR: KAHC010355222024

3. Sri. Abhinav Ramanand A., learned counsel appearing for petitioners, by referring to the relationship between the parties submits that, one Muniyappa S/o Lakshmaiah claims to be the tenant of the subject land, who died on 13th August, 1995 leaving behind five children. Learned counsel further submits that, one of the daughters of said Muniyappa viz., Muniakkayamma (respondent No.8 herein) and her husband Muniyappa S/o Chikkappaiah had filed Form No.7A seeking occupancy right in respect of the subject land in their favour. It is contended by learned counsel appearing for petitioners that, since the land in question has been tenanted and being cultivated by Muniyappa S/o Lakshmaiah i.e., the father of petitioners, the petitioners are proper and necessary parties before the Karnataka Appellate Tribunal. Accordingly, he sought for interference of this Court.

4. Learned counsel appearing for petitioners also refers to the order dated 20th December, 2021 (Annexure-R13) passed in Writ Appeal No.1001/2018 particularly to paragraph 13 and operative portion therein and contended that, as the Motamma and Kamma had filed Form No.7A seeking



CNR: KAHC010355222024

occupancy right in respect of the subject land, the petitioners herein who claims to be the sisters of Motamma and Kamma also have similar right on par with Motamma and Kamma. Accordingly, he sought for interference of this Court.

5. Per contra, Sri. B. Ramesh, learned counsel appearing for respondents 1 to 4 and 6 refers to the order dated 13th December, 2006 (Annexure-R6) and contended that the claim was made by the daughters of Muniyappa S/o Lakshmaiah *i.e.*, Kamma, Motamma, Muniyappa S/o Chikkappaiah (husband of Muniakkamma) and Narayanaswamy (wrongly typed as Narayanappa), who is the son of Muniakkamma and same was rejected by the Assistant Commissioner, Doddaballapura Sub-Division, which is also confirmed by this Court, by order dated 18th July, 2012 (Annexure-R8) passed in Writ Petition No.1659 of 2007. Accordingly, the learned counsel appearing for respondents 1 to 4 and 6 contended that the petitioners have no right over the subject land. Therefore, learned counsel sought for dismissal of the petition as the petitioners are not proper and necessary parties to the proceedings.



CNR: KAHC010355222024

**NC: 2026:KHC:40587
WP NO.17459 OF 2024**

6. Smt. Sharada H.V., learned Additional Government Advocate appearing for the respondent No.16 argued on the similar lines as that of learned counsel appearing for respondents 1 to 4 and 6.

7. Having heard the learned counsel appearing for parties and on careful consideration of the relationship between the parties, it is forthcoming that, Muniyappa S/o Lakshmaiah claim to be a Tenant had five children namely, Kamma, Motamma (respondent No.17), Lakshamma (petitioner No.1), Muniakkayamma (respondent No.8) and Bathamma (petitioner No.2). It is not in dispute that, Muniyappa S/o Lakshmaiah has not filed any application seeking occupancy right in respect of the subject land. Though the learned counsel appearing for petitioners argued that, Muniyappa S/o Lakshmaiah was a Tenant in respect of the subject land, however, his children particularly petitioners herein have not filed any application seeking occupancy right in respect of subject land. That apart, it is forthcoming that, Motamma and Kamma had filed Form No.7A claiming right over the subject land. It is also forthcoming that, Muniyappa S/o Chikkappaiah who is the



husband of one of the daughters of Muniyappa S/o Lakshmaiah viz., Muniakkayamma (respondent No.8) had filed Form No.7A seeking occupancy right in respect of the subject land. In that view of the matter, since the father of petitioners so also, the petitioners on their individual capacity also had not filed the application seeking occupancy right in respect of the subject land, I am of the view that the petitioners herein are not proper and necessary parties to the proceedings.

8. Yet another ground for not accepting the submission made by learned counsel appearing for petitioners is that the Assistant Commissioner, Doddaballapur Sub-Division has rejected Form No.7A filed by their sisters Kamma, Motamma and Muniyappa S/o Chikkappaiah (husband of Muniakkayamma) and Narayanaswamy (son of Muniakkayamma) and same has reached finality before this Court. Therefore, I am of the view that the reasons assigned by the Karnataka Appellate Tribunal, Bengaluru in the impugned order dated 25th April, 2024 (Annexure-H) passed in Revision Appeal No.615/2013, rejecting the application for impleading is just and proper and same do not call for any



CNR: KAHC010355222024

NC: 2026:KHC:40587
WP NO.17459 OF 2024

interference in the present petition. Accordingly, Writ Petition is ***dismissed***.

9. It is made clear that the observation made by this Court in the present petition cannot be considered as precedent for any other *inter se* proceedings/rights of the parties. The Karnataka Appellate Tribunal is directed to dispose of the impugned proceedings within a period of six months from the date of receipt of this order.

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

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List No.: 1 Sl No.: 58