



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF JUNE, 2026

BEFORE

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

WRIT PETITION NO.16657 OF 2026 (KLR-RES)

BETWEEN:

BYRAPPA
SINCE DECEASED, REP. BY LRS.

1. SMT. NARAYANAMA
W/O LATE BYRAPPA,
AGED ABOUT 44 YEARS.
2. SRI. NARAYANASWAMY
S/O LATE BYRAPPA,
AGED ABOUT 44 YEARS.
3. SRI. B. NAVEENKUMAR
S/O LATE BYRAPPA,
AGED ABOUT 39 YEARS.
4. SRI. AVALAPPA
S/O LATE A. NARAYANAPPA
AGED ABOUT 65 YEARS,
OCC.: AGRICULTURIST.

ALL ARE RESIDENTS OF
HOLALI VILLAGE,
HUTTUR HOBLI,
KOLAR TALUK,
KOLAR DISTRICT - 563 101.

...PETITIONERS

(BY SRI. KANTHARAJAPPA M.G., ADVOCATE)

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



AND:

1. THE STATE OF KARNATAKA
REP. BY ITS SECRETARY,
REVENUE DEPARTMENT,
M.S. BUILDING,
BENGALURU - 560 001.
2. THE DEPUTY COMMISSIONER,
KOLAR DISTRICT,
KOLAR - 563 101.
3. THE ASSISTANT COMMISSIONER,
KOLAR SUB-DIVISON,
KOLAR - 563 101.
4. THE TAHSILDAR,
KOLAR TALUK,
KOLAR - 563 101.
5. THE KOLAR-CHIKKABALLAPUR DISTRICT
CONFIRMATION ORDER-OPERATIVE MILK
FEDERATION,
REP. BY ITS MANAGING DIRECTOR,
BALAGANAHALLI VILLAGE,
KOLAR TALUK ,
KOLAR DISTRICT - 563 101.

...RESPONDENTS

(BY SRI. B.J. ESWARAPPA, AGA FOR R1 TO R4)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER PASSED BY THE KARNATAKA APPELLATE TRIBUNAL, BENGALURU DATED 29TH JANUARY, 2026 IN REVENUE APPEAL NO.231/2021 VIDE ANNEXURE-J; 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

Sri. B.J. Eswarappa, learned Additional Government Advocate accepts notice for respondents 1 to 4.

2. In this petition, petitioners are challenging the order dated 29th January, 2026 (Annexure-J) passed by the Karnataka Appellate Tribunal, Bengaluru in Revenue Appeal No.231/2021.

3. Heard Sri. Kantharajappa M.G., learned counsel appearing for petitioners and Sri. B.J. Eswarappa, learned Additional Government Advocate appearing for respondents 1 to 4.

4. Sri. Katharajappa M.G., learned counsel appearing for petitioners argued that, this Court, by order dated 11th November, 2020 (Annexure-G), disposed of the Writ Petition No.10821 of 2020 by setting aside the order bearing No.LND/CR/131/18-19 dated 30th July, 2018 passed by the respondent No.4-Tahsildar and directed the respondent No.4-Tahsildar to consider the representation to be made by the petitioner No.4 herein in respect of grant of the subject property in favour of his father. Learned counsel further



submits that the order, which is set-aside by this Court in Writ Petition No.10821 of 2020 has been followed by the Karnataka Appellate Tribunal in the impugned order as forthcoming from paragraph 10 of the order. Therefore, learned counsel appearing for petitioners sought for interference of this Court.

5. Per contra, Sri. B.J. Eswarappa, learned Additional Government Advocate appearing for respondents 1 to 4 sought to justify the impugned order passed by the Karnataka Appellate Tribunal.

6. Having heard the learned counsel appearing for the parties, I have gone through the order passed by this Court in Writ Petition No.10821 of 2020 decided on 11th November, 2020. The operative portion of the said order reads as under:

"In the light of this submission, the writ petition is disposed of in the following manner:

- (a) The impugned order dated 30.07.2018 in No.LND/CR/131/18-19 passed by the fourth respondent is set aside.*
- (b) The petitioner shall file a representation enclosing a certified copy of this order detailing all circumstances that would vindicate the petitioner's stand of grant of the Subject Property in favour of his father. The petitioner shall file such*



representation within three weeks from the date of receipt of a certified copy of this order.

- (c) *The fourth respondent shall consider such representation by the petitioner in accordance with law with reasonable opportunity to the petitioner to substantiate his case.*

In view of disposal of the writ petition, all the pending application do not survive for consideration and are accordingly disposed of."

7. On careful perusal of the impugned order dated 29th January, 2026 (Annexure-J), passed by the Karnataka Appellate Tribunal, it is forthcoming that the Karnataka Appellate Tribunal culled out the order bearing No.LND/CR/131/18-19 dated 30th July, 2018 passed by the respondent No.4-Tahsildar, Kolar Taluk, and passed the impugned order. In that view of the matter, I find force in the submission made by learned counsel appearing for the petitioner that the impugned order passed by the Karnataka Appellate Tribunal without considering the order passed by this Court in Writ Petition No.10821 of 2020, is required to be reconsidered by the Karnataka Appellate Tribunal. Accordingly, I pass the following:

ORDER

- (i) Writ Petition ***allowed;***



- (ii) Order dated 29th January, 2026 (Annexure-J) passed by the Karnataka Appellate Tribunal, Bengaluru in Revenue Appeal No.231/2021 is hereby set-aside; and matter is remitted back to the Karnataka Appellate Tribunal, Bengaluru to reconsider the issue afresh and take decision in the matter in accordance with law at the earliest;
- (iii) Since the parties are representing through their respective counsels, in order to expedite the hearing, parties are directed to appear before the Karnataka Appellate Tribunal on 10th July, 2026 at 11.00 a.m.

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