



CNR: KAHC010364752021

NC: 2026:KHC:38612
WP No. 18056 of 2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF JULY, 2026

BEFORE

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

WRIT PETITION NO. 18056 OF 2021 (KLR-RES)

BETWEEN:

SRI D A MUNIVENKATAPPA
DEAD BY HIS LRS

1. SMT ASHWATHAMMA
AGED ABOUT 55 YEARS
W/O LATE SRI D A MUNIVENKATAPPA
2. SMT NALINA
AGED ABOUT 41 YEARS
D/O LATE SRI D A MUNIVENKATAPPA
W/O SRI CHANDRASHEKAR.
3. SRI ANAND
AGED ABOUT 35 YEARS
S/O LATE SRI D A MUNIVENKATAPPA.
4. SMT LAKSHMI
AGED ABOUT 32 YEARS
D/O LATE SRI D A MUNIVENKATAPPA.
5. SRI SRINATH
AGED ABOUT 30 YEARS
S/O LATE SRI D A MUNIVENKATAPPA

ALL ARE R/AT ALAGONDANAHALLI VILLAGE
JEDIGENEHALLI HOBLI, HOSAKOTE TALUK
BENGALURU RURAL DISTRICT-562 114.

...PETITIONERS

(BY SRI.G PAPI REDDY, SENIOR ADVOCATE FOR
SRI. VARUN P ., ADVOCATE)

Digitally signed by
DHANALAKSHMI
MURTHY

Location: HIGH
COURT OF
KARNATAKA



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AND:

1. THE STATE OF KARNATAKA
REVENUE DEPARTMENT
MULTI-STORIED BUILDINGS
DR AMBEDKAR VEEDHI
BENGALURU 560 001
REP BY ITS SECRETARY.
2. THE DEPUTY COMMISSIONER
BENGALURU RURAL DISTRICT
DISTRICT ADMINISTRATIVE BHAWAN
FIRST FLOOR BEERASANDRA VILLAGE
KUNDANA HOBLI, DEVANAHALLI TALUK
BENGALURU RURAL DISTRICT 562 110.
3. THE TAHSILDAR
HOSKOTE TALUK
BENGALURU RURAL DISTRICT 562 114

...RESPONDENTS

(BY SRI.SPOORTHY HEGDE N, HCGP)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER OF THE R2 DATED 16.07.2021 PASSED IN CASE NO. REVISION PETITION NO.197 OF 2013 VIDE ANNEXURE-G AND CONSEQUENTLY DIRECT THE R3 TO MUTATE THE REVENUE ENTRIES IN THE NAMES OF THE PETITIONERS IN RESPECT OF THE SCHEDULE PROPERTY BASED ON INHERITANCE AND ETC.

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

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

ORAL ORDER

In this writ petition, petitioners are assailing the order dated 16.07.2021, in R.P.No.197/2013 (Annexure-



G), inter alia, seeking for a direction to respondent No. 3 to mutate revenue entries in the name of the petitioners.

2. The relevant facts for adjudication of this petition are that, the husband of petitioner No.1 and the father of petitioner Nos. 2 to 5 – D.A.Munivenkatappa was in cultivation of the land bearing Sy.No.1, Block No. 41, measuring to an extent of two acres in Alagondanahalli Village, Jadigenahalli Hobli, Hoskote Taluk, as an unauthorized occupant, since 1952. Accordingly, the deceased D.A.Munivenkatappa had filed an application, seeking grant of the land and, as such, the respondent - Authorities have, on upset price, had granted the land to the said D.A.Munivenkatappa and the same is produced at Annexure-A to the petition. Thereafter, the revenue entries transferred into the name of the original grantee – D.A.Munivenkatappa. Mutation register and other revenue records, as well as the sketch have been shown as Annexures-B, C series and D, in respect of the subject land.



3. It is further stated that, O.S.No.593/1999 was also filed by the deceased – D.A.Munivenkatappa against the respondents before the Civil Judge (Principal) Senior Division, Bangalore District, Bangalore, seeking relief of declaration with consequential relief of injunction and the said suit came to be decreed on 05.12.2001 (Annexure-E). Thereafter, the deceased Munivenkatappa had also filed O.S.No.224/2003 for the relief of declaration and for permanent injunction. The same was also decreed as per the judgment and decree dated 05.04.2014 (Annexure-F1). Therefore, it is the contention of the petitioners that the respondent - Authorities have no authority under law to pass the impugned order, dated 16.07.2021 (Annexure-G), holding that the grant made in favour of the deceased is incorrect and contrary to law. Therefore, the present writ petition is filed.

4. Sri G.Papireddy, learned Senior Counsel appearing on behalf of Sri Varun Papireddy, learned counsel for the petitioners, invited the attention of this Court to the grant



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made in favour of the deceased as well as the revenue entries, and submitted that, the findings recorded by respondent No.2 at paragraph No.4 of the impugned order at Annexure-G, is contrary to law. He further submitted that, the Bangalore District was not constituted during 1986 and therefore, submitted that, the impugned order at Annexure-G requires to be set aside.

5. It is also argued by the learned Senior Counsel, by referring to the order dated 19.09.2024 (Annexure-H), that, there are two orders passed by respondent No. 2 on the same subject land and therefore, it is argued by the learned Senior Counsel for the petitioners that, it is a clear case of non-application of mind by respondent No.2 and accordingly, sought for interference of this Court.

6. Per contra, learned HCGP justifies the orders passed by the respondent – Authorities.

7. Having taken note of the submissions made by the learned counsel for the parties and on careful



consideration of the grant order dated 20.02.1970 (Annexure-A), would indicate that the grant has been made in favour of the deceased D.A.Munivenkatappa. Thereafter, mutation, RTC extracts and sketch have been prepared by the respondent - Authorities in respect of the subject land. That apart, it is forthcoming from the judgment and decree dated 05.04.2014 (Annexure-F1), in O.S.No.224/2003 on the file of the Principal Senior Civil Judge, Bangalore Rural District, Bangalore, wherein the original grantee has filed a suit, seeking relief of declaration with consequential reliefs and the said suit came to be decreed at Annexure-F1 to the writ petition, that, the deceased D.A.Munivenkatappa has been declared as the owner of the land in question. It is to be noted that, the respondent - Authorities were arrayed as defendant Nos.2 and 3 in O.S.No.593/1999. It is also to be noted from Annexure-F1, in the Judgment and Decree dated 05.04.2014, where the deceased D.A.Munivenkatappa has been declared as the owner of the land in question, and



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decree has been made against the private respondents therein.

8. In that view of the matter, taking into consideration, that the grant has been made in favour of the deceased D.A.Munivenkatappa way-back in 1970 and after 40 years, the respondent - Authorities have initiated proceedings under Section 136(3) of the Karnataka Land Revenue Act, 1964, with an inordinate delay and further, the finding recorded by the respondent No.2 at Annexure-G, particularly in paragraph No.4, is contrary to the records and, therefore, I find force in the submissions made by the learned Senior Counsel appearing for the petitioners.

9. That apart, despite the fact that respondent No. 2 has passed an order in R.P.No.197/2013 (Annexure-G), however, another order on the very same subject land against the deceased D.A.Munivenkatappa was passed on



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19.09.2024 (Annexure-H) to the writ petition, would reflect the non-application of mind by respondent No.2.

10. In that view of the matter, I pass the following:

ORDER

(i) The writ petition is allowed.

(ii) The order dated 16.07.2021 (Annexure-G) in R.P.No.197/2013 is, accordingly, set aside and respondent No.3 is directed to restore the revenue entries in the name of the petitioners in respect of the subject land, if the same has been changed during the course of the proceedings, within two months from the date of receipt of a copy of this order.

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

Cm/-
LIST NO.: 1 SL NO.: 14