



CNR: KAHC010373302022

NC: 2026:KHC:36819
WP No. 16553 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 16553 OF 2022 (LB-RES)

BETWEEN:

SRI T K BABU RANGAN
S/O LATE D K KEMPEGOWDA
AGED ABOUT 54 YEARS
R/A HOUSE NO.3
NEAR MARAMMA TEMPLE
KURIPALYA
TUMAKURU CITY-572102.

...PETITIONER

(BY SRI. FAYAZ SAB B G.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF URBAN DEVELOPMENT
MULTI STORIED BUILDING
BENGALURU-560001.
2. THE COMMISSIONER
TUMKURU MAHANAGARA PALIKE
TOWN HALL
TUMAKURU-572101.
3. THE ASSISTANT EXECUTIVE ENGINEER
TUMKURU MAHANAGARA PALIKE

Digitally
signed by
VANAMALA
N
Location:
HIGH
COURT OF
KARNATAKA



CNR: KAHC010373302022

NC: 2026:KHC:36819
WP No. 16553 of 2022

TOWN HALL
TUMAKURU-572101.

...RESPONDENTS

(BY SRI.KENCHEGOWDA., AGA FOR R1;
SRI. R SUBRAMANYA., ADVOCATE FOR R2 & R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH AN IMPUGNED ENDORSEMENT BEARING NO. TU.MA.PA./KOM.SHA/CR/7166/2019-20 DATED 17.5.2022 ISSUED BY THE R-2 INSTEAD OF CONSIDERING THE CLAIM OF THE PETITIONER FOR REGISTERING THE KHATHA OF THE SCHEDULE PROPERTY IN THE NAME OF THE PETITIONER IS KEPT IN ABEYANCE BY ASSIGNING FLIMSY REASONS THAT THE LAYOUT PLAN IS NOT APPROVED BY THE COMPETENT AUTHORITY WHICH IS PRODUCED AND MARKED AS ANNEXURE-N AS ILLEGAL ARBITRARY CAPRICIOUS AND DISCRIMINATORY AND ISSUED WITHOUT APPLICATION OF MIND; DIRECT THE R-2 TO CONSIDER THE CLAIM OF THE PETITIONER FOR REGISTERING KHATHA OF THE SCHEDULE PROPERTY IN THE NAME OF THE PETITIONER AND ISSUE ASSESSMENT NUMBER SO AS TO ENABLE THE PETITIONER TO REMIT THE PROPERTY TAX TO THE R-2 CORPORATION WHICH ARE PRODUCED AND MARKED AS ANNEXURE-M.



CNR: KAHC010373302022

NC: 2026:KHC:36819
WP No. 16553 of 2022

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's grievance is with the Endorsement dated 17.05.2022 [Annexure-M]. The second respondent has issued this Endorsement stating that the petitioner's request for revenue entries based on a decree in the suit in O.S.No.624/2002 cannot be considered because the concerned Urban Development Authority has informed that the modification of the layout is not approved and therefore the revenue entries would not be justified.

2. This Court, on 08.06.2026, has recorded the following question:

"Whether the petitioner's father is given the benefit of approval for formation of sites in an extent of 30/31 guntas in Sy.Nos.8/2 and 8/3



CNR: KAHC010373302022

of Veerasagara Village, Kasaba Hobli, Tumkuru District permitting him to retain the ownership of an area described as an open space in the approved layout plan.”

This Court has called upon the learned counsel for the second respondent to ensure that a Report is filed in the light of the submissions on behalf of the second respondent that the property would be inspected. Presently, a Report is filed with an enclosed sketch.

3. Sri R. Subramanya, the learned counsel for the second and the third respondents, submits that this Court may not intervene to issue any direction unless there is an appropriate declaration in a properly instituted suit with a competent Court against the concerned private individuals and all the competent authorities, and in this regard, the learned counsel emphasizes the following.



CNR: KAHC010373302022

[a] The petitioner relies upon the registered Deed of Transfer Agreement executed in favour of Veerasagara Group Panchayat Authority on 04.02.1983 [*Annexure-C*], but the executor of the '*Transfer Agreement*' under whom the petitioner proposes to assert interest has unilaterally cancelled the Deed of Transfer Agreement by a registered Deed of Cancellation dated 16.11.1984 [*Annexure-D*].

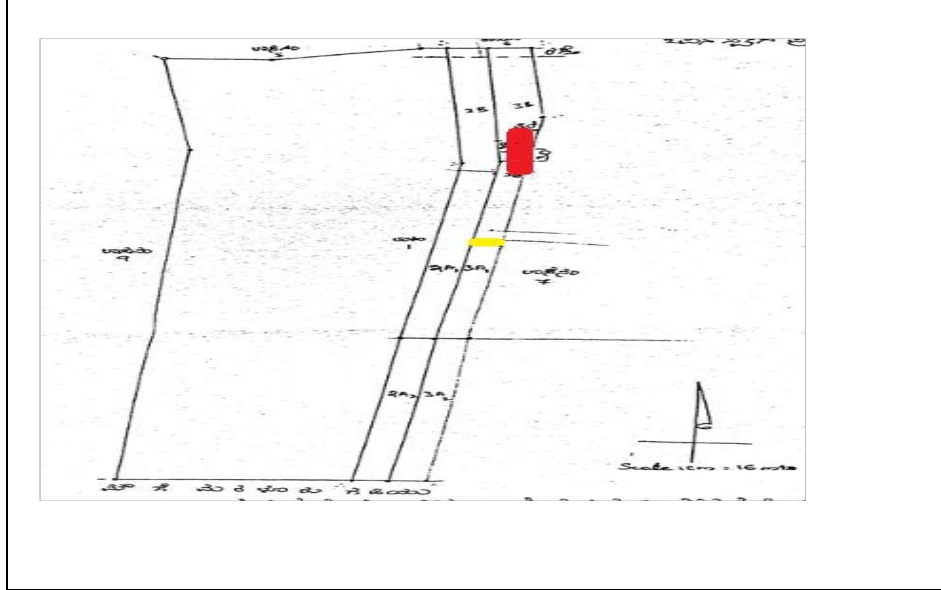
[b] The Inspection and the Report show that the petitioner is claiming revenue entries for a portion that is distinct and separate from where a *Nagarkatte* is situated.

The terms for disposal of the petition are considered in the light of the afore. The sketch, which is part of the Report, reads as under:



CNR: KAH010373302022

NC: 2026:KHC:36819
WP No. 16553 of 2022



4. The sketch shows that the *Nagarakatte* is in a portion marked in *Yellow* and the petitioner asserts revenue entries to the portion marked in *Red*. This indicates that there is a dispute about the location of the property claimed by the petitioner. Further, unless the permissibility of the unilateral cancellation of the '*Transfer Agreement*' and the rights that have accrued are not examined in a properly instituted suit, this Court cannot intervene in favour of the petitioner. As such, the petition stands disposed of with liberty to the petitioner to



**NC: 2026:KHC:36819
WP No. 16553 of 2022**

CNR: KAHC010373302022

avail remedy as would be permissible in law subject
to all just exceptions.

**Sd/-
(B M SHYAM PRASAD)
JUDGE**

SA
Ct:sr