



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JULY, 2026

BEFORE

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

WRIT PETITION NO. 19074 OF 2024 (KLR-RES)

BETWEEN:

SRI. K. MADEGOWDA,
S/O LATE KARADIGOWDA,
AGED ABOUT 77 YEARS,
OCC: AGRICULTURIST,
ADAGANAHALLY VILLAGE,
KESTUR POST, ATHAGUR HOBLI,
MADDUR TALUK,
MANDYA - 571 401.

...PETITIONER

(BY SRI. H.C. SHIVARAMU, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF REVENUE,
M.S. BUILDING,
BENGALURU - 560 001,
REPRESENTED BY ITS SECRETARY.
2. THE DEPUTY COMMISSIONER
MANDYA DISTRICT,
MANDYA - 571 401.
3. THE ASSISTANT COMMISSIONER
MANDYA SUB DIVISION,
MANDYA -571 401.
4. THE TAHSILDAR
MADDUR TALUK,



MANDYA DISTRICT - 571 401.

5. THE DEPUTY DIRECTOR OF LAND RECORDS
OFFICE OF THE DEPUTY COMMISSIONER,
MANDYA DISTRICT - 571 401.

6. K. RAMESH
S/O KARADIGOWDA,
S/O PUTTEGOWDA, MAJOR
R/O ADAGANAHALLI VILLAGE
KESTUR POST, ATHAGUR HOBLI,
ADAGANAHALLI VILLAGE
KESTUR POST, ATHAGUR HOBLI,
MADDUR TALUK,
MANDYA DISTRICT - 571 405.

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE N, HCGP FOR R1 TO R5;
SRI. VIJAY KUMAR PRAKASH, ADVOCATE FOR R6)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO i) QUASH THE
ORDER DT. 22/04/2024 MADE IN REV. APPEAL NO. 601/2018
(CH-1) PASSED BY THE KARNATAKA APPELLATE TRIBUNAL,
BENGALURU UNDER ANNEXURE-R 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

Heard the learned counsel appearing for the parties.

2. In this writ petition, petitioner is assailing the order dated 22.04.2024 in Rev.Appeal No.601/2018 (Annexure-R) on the file of the Karnataka Appellate Tribunal *inter alia* sought for a direction to respondent No.5 to re-fix the boundary to the land bearing Survey No.745, measuring 2 acres, 18 guntas situated at Kestur Village, Maddur Taluk, Mandya District.

3. It is argued by Sri.H.C.Shivaramu, learned counsel appearing for the petitioner in respect of the grant made in favour of the petitioner and submitted that, two persons have encroached the land belonging to the petitioner and they were evicted by an order passed by respondent No.4 and possession of the said portion was also delivered to the petitioner by the respondent authorities. He further referred to the order passed by the respondent authorities including the Karnataka Appellate Tribunal and refers to the impugned endorsement at Annexure-A and submitted that the impugned endorsement at Annexure-A is based on Durasth made in respect of the land bearing Survey No. 1062 by the respondent authorities. However on careful consideration of the records before the respondent authorities, it is informed to the petitioner as per Annexure-X



and Z1 endorsement that there is no such records in the Taluk office, Maddur and accordingly learned counsel appearing for the petitioner sought for interference of this Court.

4. *Per contra*, Sri.Vijay Kumar Prakash, learned counsel appearing for respondent No.6, by referring to the statement of objection, contented that there is no impediment for considering the claim made by the petitioner as to the land in question is concerned. However, the same has nothing to do with respect to the 20 guntas of the land granted in favour of the respondent No. 6 and accordingly sought for dismissal of the petition.

5. Learned HCGP for respondent Nos.1 to 5 sought to justify.

6. In the light of the submission made by the learned counsel appearing for the parties and on careful consideration of the Annexure-A endorsement wherein it is stated that the Phodi has been made in respect of the land bearing Survey No. 1062 of Kestur Village, Maddur Taluk. However on careful consideration of the material on records, particularly Annexure-X and Annexure-Z1, it is stated by the Office of the Tahsildar that there is no such records in their office. In that view of the



matter, the entire proceedings from the Office of the Tahsildar upto the Karnataka Appellate Tribunal has been made without there being any records in respect of the Survey No.1062 of Kestur Village, Maddur Taluk, Mandya District.

7. In that view of the matter, I find force in the submission made by the learned counsel appearing for the petitioner. Accordingly, I pass the following:-

ORDER

- i. The writ petition is allowed.
- ii. The order dated 22.04.2024 (Annexure-R) in Rev.Appeal No.601/2018 passed by the Karnataka Appellate Tribunal is accordingly set aside and the matter is remitted to the respondent Nos.4 and 5 to re-fix the boundary of the land bearing Survey No.745 measuring 2 acres 18 guntas of land of Kestur Village, Maddur Taluk, Mandya District in terms of the grant made in favour of the petitioner by the respondent authorities.



- iii. Respondent Nos.4 and 5 shall complete the entire proceedings within a period of 4 months from the date of receipt of this order.
- iv. It is also open for the respondent authorities to issue the notice to the petitioner as well as the respondent No.6, notifying the date of survey and to take further action in the matter.

SD/-
(E.S.INDIRESH)
JUDGE

VS,
List No.: 1 Sl No.: 9