



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF JULY, 2026

BEFORE

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

WRIT PETITION NO.17410 OF 2023 (KLR-RES)

BETWEEN:

1. RAMESH KUMAR B. VIJAN
S/O LATE BIHARILAL LOUDINDAMAL VIJAN
AGED ABOUT 65 YEARS
NO.6, 4TH FLOOR,
FLAT NO.114, SECTOR 28,
VASHI, NAVI,
MUMBAI-400705.
2. MR. SUDHIR KUMAR B. VIJAN
S/O LATE BIHARILAL LOUDINDAMAL VIJAN
AGED ABOUT 61 YEARS
R/A AT PLOT NO.514
BUNGALOW NO.3, 12TH ROAD
CHEMBUR
MUMBAI-400071.

...PETITIONERS

(BY SRI. D.R. RAVISHANKAR, SENIOR COUNSEL FOR
SRI. SARAVANA S., ADVOCATE)



AND:

1. THE STATE OF KARNATAKA
REPRESENTED ITS BY SECRETARY
REVENUE DEPARTMENT
VIDHANA SOUDHA
DR B R AMBEDKAR VEEDHI
BENGALURU-560009.
2. THE DEPUTY COMMISSIONER
BENGALURU URBAN DISTRICT
BENGALURU-560009.
3. THE ASSISTANT COMMISSIONER
BENGALURU NORTH TALUK
KANDHAYA BHAVANA
BENGALURU-560009.
4. SRI. RAMALINGESHWARA MUTT
HARNAHALLI
SHIMOGA-577416.
CORRESPONDING OFFICE AT
NO.92/10, 12TH 'C' MAIN
6TH BLOCK, RAJAJINAGAR
BENGALURU - 560 010.

REPRESENTED BY
MUTTADIPATHI SRI/SHA/BRA
CHANDRAMOULESHWARA
SHIVACHARYA SWAMIJI
AGED ABOUT 43 YEARS
MATADHIPATHI OF



SRI. RAMALINGESHWARA MUTT.

5. THASILDAR
BENGALURU NORTH TALUK
KANDHAYA BHAVANA
BENGALURU-560009.
6. MR. RANGANATH
ASSISTANT COMMISSIONER
BENGALURU NORTH TALUK
KANDAYA BHAVANA
BENGALURU-560009.
7. MR. DAYANANDA
DEPUTY COMMISSIONER
BENGALURU NORTH TALUK
KANDAYA BHAVANA
BENGALURU-560009.

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE N., HCGP FOR R1 TO R3 AND R5;
SMT. LAKSHMY IYENGAR, SENIOR COUNSEL FOR
SRI. H.R. VISHWANATH, ADVOCATE FOR R4;
R7 SERVED AND UNREPRESENTED;
NOTICE TO R6 HELD SUFFICIENT V/O DATED
20.02.2024)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
ANNEXURE-W THE ORDERS IN R.P.405/2016-17, DATED
14.07.2023 PASSED BY THE DEPUTY COMMISSIONER



CONFIRMING THE ORDERS IN R.A.(B.N)159/2015-16,
DATED 18.08.2016, PASSED BY THE ASSISTANT
COMMISSIONER ANNEXURE-T; AND ETC.

THIS WRIT PETITION HAVING BEEN RESERVED FOR
ORDERS, COMING ON FOR PRONOUNCEMENT THIS DAY,
E.S. INDIRESH J., MADE THE FOLLOWING:

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

CAV ORDER

In this writ petition, the petitioners are assailing the
order dated 14.07.2023 (Annexure-W) in RP No.405 of
2016-17 on the file of respondent No.2-Deputy
Commissioner and order dated 18.08.2016 in R.A.(BN)
159 of 2015-16 (Annexure-T) passed by respondent
No.3-Assistant Commissioner *inter-alia* sought for a
direction to respondent Nos. 6 and 7 to pay
compensation of Rs.5 crores to the petitioners and to
direct the respondent No.1, to initiate disciplinary
proceedings against the respondent Nos.6 and 7 for the
manner in which the proceedings are undertaken.



2. Relevant facts for the adjudication of the case as averred in the writ petition are that, His Highness Maharaja Mohan, Shamsherjung Bahaddur Rana, Lt. General Sharada Shamsherjung Bahaddur Rana and Rani Sarala Devi had purchased total extent of 89.37 acres, of land in Sy Nos.122, 120, 123, 118, 119 and 124 of Doddabidarakallu village and Sy Nos.6 and 8 of Nagasadra village, as per the registered Sale Deed dated 23.09.1954 from one Smt. Malathi Kamesham and her sister-Smt. Lalitha Kamesham.

3. It is stated that, out of 10 acres 23 guntas of land in Sy No.8 of Nagasandra village, His Highness Maharaja Mohan, Shamsherjung Bahaddur Rana, Lt. General Sharada Shamsherjung Bahaddur Rana and Rani Sarala Devi, have sold land to an extent of East to West 367 ¹/₂ feet and North to South 415 feet to one Sri. Biharilal Loudinanadmal Vijan (father of the petitioners) as per the registered Sale Deed dated 19.11.1962 (Annexure-A). It is also stated that, there is an error



crept in the schedule in the above sale deed as the land purchased was not only situate in Sy No.8 of Nagasandra village but also a portion of the land comes within Sy No.123 of Doddabidarakallu village and as such, registered Rectification Deed dated 19.12.1966 was executed by the parties as per Annexure-B. It is also stated that, the revenue records mutated in favour of the petitioners' father to the extent of 3 acres of land in Sy No.8 as per Annexure-C series. It is further stated that, portion of the land was acquired for widening of NH-4 by the competent authority and thereby, the petitioners had received compensation from the competent authority and the remaining extent of land after acquisition made by the competent authorities, was 02 acres, 09 guntas which is mentioned in schedule property. It is also stated that the land was phoded and copies of the RTC extracts are produced at Annexure-E series. It is further stated that, after the death of their father, petitioners are in possession of land in question and extract of IHC



12/1989-90 (Annexure-F) was made in favour of the petitioners. It is further stated that, land in question was diverted for non-agricultural commercial purpose as per Official Memorandum dated 02.09.2010 (Annexure-G) issued by the competent authority.

4. It is further stated in the writ petition that, one Sri. Ramalingeshwara Mutt-respondent No.4 herein had filed OS No.535 of 1994 seeking relief of declaration, possession and mandatory injunction in respect of the various properties including the property belonging to the petitioners. Father of the petitioners was arrayed as defendant No.5 in the said suit and the said suit came to be dismissed on 29.10.2001. Thereafter, miscellaneous petition in Misc.No.541 of 2002 filed by the respondent-Mutt to recall the dismissal of the suit for non-prosecution. It is the case of the petitioners that, so called Sri. Ramalingeshwara Mutt has never been existed and said aspect was considered in two suits namely, OS No.84 of 1970 and in OS No.5300 of 1980 as per the



judgment and decree produced at Annexure-K. It is also stated that, the said Ramalingeshwar Mutt filed appeal under Section 136(2) of the Karnataka Land Revenue Act, 1964 in respect of the land bearing Sy No.8 of Nagasandra village, including schedule property. It is also stated that, proceedings were initiated by the State Government and the Spl. Deputy Commissioner, in RRT (2) CR16/2001-02 vide order dated 02.11.2001, had directed the entries to be made in the name of Sri. Ramalingeshwar Mutt and the said order was challenged in RRT(2) CR 1/2002-03 and the Spl. Deputy Commissioner, vide order dated 10.01.2003 (Annexure-L) ordered to continue the name of Ramalingeshwara Mutt in the revenue records and same was challenged before this court in W.P.No.3993 of 2002 and this Court vide order dated 30.01.2003, set aside the order and remanded the matter to the respondent No.2 for fresh consideration. One of the land owners Paramananda Sharma had filed W.P.No.16513 of 2003 before this



Court, and same was allowed and remanded back to the respondent-authorities for fresh consideration on 10.07.2003 as per Annexure-M, to the writ petition. After remand made by this Court, the Spl. Deputy Commissioner vide order dated 20.05.2004 dropped the entire proceedings and directed the revenue authorities to continue the names of the persons stood prior to 02.11.2001 as per Annexure-P. Feeling aggrieved by the same, the respondent No.4- Sri. Ramalingeshwar Mutt filed W.P.No.21904 of 2004 and same came to be dismissed on 16.08.2005, which came to be challenged in W.A.No.3365 of 2005. The said appeal came to be dismissed on 28.01.2008 and 10.01.2007. Copies are herewith produced at Annexures-Q and R and R1 respectively. Despite the aforementioned aspect, Sri. Ramalingeshwar Mutt has preferred RP No.62 of 2009-10 before the Spl. Deputy Commissioner, which also came to be dismissed on 23.11.2009 (Annexure-S). Despite all these series of litigations, respondent No.4- Sri.



Ramalingeshwar Mutt filed another proceedings before the Assistant Commissioner in RA (BN) No.159/2015-16 which came to be allowed as per order dated 18.08.2016 (Annexure-T) and respondent-Thasildar, was directed to enter the name of respondent No.4- Sri. Ramalingeshwar Mutt in the revenue records.

5. It is also stated that, the petitioner has filed OS No. 6327 of 2018 against the Sri. Ramalingeshwara Mutt, seeking relief of permanent injunction which came to be decreed on 21.01.2021 (Annexure-U). Thereafter, on account of further interference by the Sri. Ramalingeshwara Mutt, the petitioners have filed another suit in OS No.277 of 2020 (Annexure-V) and in the said suit, an order of injunction was issued against the respondent No.4-Sri. Ramalingeshwar Mutt not to interfere with the schedule property belonged to the petitioners. It is also stated in the writ petition that, the petitioners have filed RP No.405 of 2016-17 against the order dated 18.08.2016 passed by the respondent No.3-



Assistant Commissioner and the respondent No.2-Deputy Commissioner, vide order dated 14.07.2023 (Annexure-W) dismissed the Revision Petition and feeling aggrieved by the same, the petitioners have preferred this writ petition.

6. I have heard Sri. D.R. Ravishankar, learned Senior Counsel appearing on behalf of Sri. Saravana S., learned counsel appearing for the petitioners; Sri.Spoorthy Hegde N., learned High Court Government Pleader appearing for the respondent-State and Smt. Lakshmy Iyengar, learned Senior Counsel appearing on behalf of Sri. H.R. Vishwanath, for the respondent No.4.

7. Sri. D.R. Ravishankar, learned Senior Counsel appearing for the petitioners contended that, the father of the petitioners had purchased the aforementioned land as per the registered Sale Deed dated 19.11.1962 as per Annexure-A and thereafter, the revenue records stands in the name of the father of petitioners. It is also argued



that, portion of the land was acquired for the purpose of widening of NH-4, as per the acquisition Notification dated 30.06.1990 (Annexure-D) and compensation was granted to the petitioners. The land in question has been phoded, which is reflected in the RTC extracts as produced at Annexure- E and E1 respectively. After the death of Sri. Biharilal Loudianadamal Vijan-father of the petitioners, the petitioners continued to be in possession of the land in question.

8. It is also contended by the learned Senior Counsel that land in question was converted as per Official Memorandum dated 02.09.2010 (Annexure-G). It is the primary contention of the learned Senior Counsel that, the respondent No.4- Sri. Ramalingeshwar Mutt has filed suit in OS No.535 of 1994 seeking relief of declaration, possession and mandatory injunction and same was dismissed on 29.10.2001 for non-prosecution and thereafter, miscellaneous petition in Misc.No. 541 of 2002 came to be dismissed for non-prosecution as per



Annexures-H and H1, as well as Annexures-J and J1 respectively. Despite the right of the parties are crystallized in the said suit, and further, the mutation made in favour of the respondent No.4- Sri. Ramalingeshwar Mutt which was challenged before this Court in W.P.No.21905 of 2004 and connected petition filed by the respondent No.4- Sri. Ramalingeshwar Mutt herein, and this court vide order dated 16.08.2005 (Annexure-Q), directed the parties to establish their right in respect of the land in question before the competent court and the said order came to be confirmed by this court in W.A.No.3391 of 2005 on 10.01.2007 (Annexure-R1) and therefore, came to be confirmed by the Hon'ble Supreme Court in CC No.10188 of 2008 on 04.08.2008. It is also submitted that, the petitioners herein has filed OS No.6327 of 2018 against the respondent No.4- Sri. Ramalingeshwar Mutt herein, which came to be decreed on 21.01.2021 and therefore, the revenue authorities without going to the earlier orders passed by themselves



and this Court in the aforesaid writ petition, have passed the impugned order directing to enter the name of the respondent No.4- Sri. Ramalingeshwar Mutt in the revenue records which requires to be set aside in this writ petition. It is also argued by the learned Senior Counsel appearing for the petitioners that, the respondent-authorities namely, respondent Nos. 2 and 3, without respecting the orders passed by this Court and the Hon'ble Supreme Court, have passed the impugned orders and as such, they have been arrayed in their individual capacity as respondent Nos.6 and 7, before this Court and they have no respect for the orders passed by this court, being quasi-judicial authorities and therefore, sought for interference of this court to take appropriate action against them and accordingly, sought for interference of this Court. In order to buttress his arguments learned Senior Counsel appearing for the petitioners, places reliance on the judgment of the Hon'ble Supreme Court in the case of ***Hope Plantations***



Ltd v. Taluk Land Board, Peermade and Another

reported in **(1999) 5 SCC 590** and accordingly, sought for setting aside the impugned orders.

9. Per contra, Smt. Lakshmy Iyengar, learned Senior Counsel appearing for the respondent No.4, submitted that the suit in OS No. 277 of 2020 and OS No.6327 of 2018 are filed by the petitioners, seeking relief of permanent injunction and therefore, the petitioners have not established their right in a manner known to law. Learned Senior Counsel for the respondent further referred to Annexure- R3, and submitted that, land in question was transferred to the respondent No.4- Sri. Ramalingeshwar Mutt, way back on 15.12.1911, and as such, sought for dismissal of the writ petition. It is also argued by the learned Senior Counsel by referring to the suit in OS No.7101 of 1970 and contended that the land in question is belonged to the respondent No.4- Sri. Ramalingeshwar Mutt and therefore, refutes the



contention of the learned Senior Counsel appearing for the petitioners.

10. Referring to the judgment of this court in W.P.No.21904 of 2004, it is argued by the learned Senior Counsel for the respondent No.4 that, there is discrepancy in the sale deed produced by the petitioners themselves and that apart, despite the order passed by this Court, the petitioners have not established their right over the property in question and accordingly, sought for dismissal of the writ petition. It is also argued by the learned Senior Counsel for respondent No.4 that, the entire claim of the petitioners in respect of the subject land is without any basis or in the absence of relevant documents and therefore, sought for dismissal of the writ petition.

11. Sri. Spoorthy Hegde N., learned High Court Government Pleader appearing for the respondent-State



sought to justify the impugned orders passed by the respondent-authorities.

12. In the light of the submission made by the learned counsel appearing for the parties, perusal of the records would indicate that the father of the petitioners had purchased the subject land as per the registered Sale Deed dated 19.11.1962 (Annexure-A) and thereafter, the mutation entries made in favour of the father of the petitioners. It is also to be noted that the respondent No.4, claiming right over the property in question. It is forthcoming that, the respondent No.4 had filed OS No. 5300 of 1980, against the Corporation seeking relief of injunction in respect of the subject land, which came to be dismissed by the competent civil Court by judgment and decree dated 23.01.2002 (Annexure-K). It is pertinent to note that the respondent No.4 had filed suit in OS No. 535 of 1994, seeking relief of declaration with consequential relief of mandatory injunction against the petitioners herein and the said suit



came to be dismissed for non-prosecution on 29.10.2001 (Annexure-H1). It is also to be noted that respondent No.4 had filed Misc. No. 541 of 2002 in OS No. 535 of 1994 as per Annexure- J, seeking restoration of the suit, and same has not reached finality. In the meanwhile, the Spl. Deputy Commissioner in RRT (2) CR 16/2001-02 at Annexure- P, held that, as there is dispute with regard to the title and thereby directed the parties to establish their right over the property in question, however, it is made clear that revenue records shall continue in the names of persons as stood prior to 02.11.2001. The said order was challenged before this Court in W.P.No.21904 of 2004 by the respondent No.4, and this Court, vide order dated 16.08.2005 (Annexure- Q), dismissed the writ petition and as such, directed the parties to establish their right in respect of the subject matter before the competent civil Court. The said Judgment of the learned single judge was confirmed by the Division Bench of this Court in WA No.3365 of 2005 dated 28.01.2008



(Annexure-R) and WA No.3391 of 2005 disposed of on 10.01.2007 (Annexure-R1), so also, the said order was confirmed by the Hon'ble Supreme Court in CC No.10188 of 2008 on 04.08.2008. In that view of the matter, the respondent No.2, has committed an error in changing the entries in favour of respondent No.4-Sri. Ramalingeshwar Mutt, which were made in favour of the petitioners on earlier occasion, based on the registered Sale Deed dated 19.11.1962, (Annexure-A), and Rectification Deed dated 19.12.1966 (Annexure-B), that, too, after the conclusion of the proceedings before the Hon'ble Supreme Court as to direct the parties to establish their right before the civil Court.

13. It is also pertinent to mention here that suit in OS No. 535 of 1994 filed by the respondent No.4- Sri. Ramalingeshwar Mutt came to be dismissed long ago and thereafter, no material has been showed by the respondent No.4-Sri. Ramalingeshwar Mutt as to establish its right over land in question. It is also to be



noted that, the respondent-Mutt herein, has filed suit, in OS No.5300 of 1980 seeking permanent injunction against the defendant-Corporation therein, and in the said suit, the plaintiff / respondent No.4-Mutt herein has failed to establish its possession of the suit property as per the finding recorded by the Trial Court on Issue No.1. It is also forthcoming from the suit, in OS No. 6327 of 2018 filed by the petitioners herein before Civil Court, seeking relief of injunction against the respondent No.4-Sri. Ramalingeshwar Mutt and in the said suit, issue No. 1 reads as under:

" Whether the plaintiff proves that he is the owner in possession of the suit schedule property along with his brother ?

14. In respect of the above issue No.1, the Trial Court gave a finding affirmatively in favour of the petitioner and the said suit was contested on merits. The Trial Court by judgment and decree dated 21.01.2021 decreed the suit in favour of the plaintiff and restrained



the defendant Mutt from interfering with suit schedule property. The aforesaid aspect makes it clear that the petitioner had established his right over the land in question in terms of the registered Sale Deed and rectification deed at Annexure- A and B and the said aspect of the matter was ignored by the respondent-authorities, despite the respondents No. 6 and 7 aware of the proceedings in the civil suits as well as writ petitions before this court, which is intimately confirmed by the Hon'ble Supreme Court and therefore, I find force in the submission made by the learned senior counsel appearing for the petitioner.

15. The Hon'ble Supreme Court in the case of ***Hope Plantations Ltd***, (supra) at paragraph 26 held as follows:

"26. It is settled law that the principles of estoppel and res judicata are based on public policy and justice. Doctrine of res judicata is often treated as a branch of the law of estoppel though these two



doctrines differ in some essential particulars. Rule of res judicata prevents the parties to a judicial determination from litigating the same question over again even though the determination may even be demonstratedly wrong. When the proceedings have attained finality, parties are bound by the judgment and are estopped from questioning it. They cannot litigate again on the same cause of action nor can they litigate any issue which was necessary for decision in the earlier litigation. These two aspects are "cause of action estoppel" and "issue estoppel". These two terms are of common law origin. Again, once an issue has been finally determined, parties cannot subsequently in the same suit advance arguments or adduce further evidence directed to showing that the issue was wrongly determined. Their only remedy is to approach the higher forum if available. The determination of the issue between the parties gives rise to, as noted above, an issue estoppel. It operates in any subsequent proceedings in the same suit in which the issue had been determined. It also operates in subsequent suits between the same parties in which the same issue arises. Section 11 of the Code of Civil



Procedure contains provisions of res judicata but these are not exhaustive of the general doctrine of res judicata. Legal principles of estoppel and res judicata are equally applicable in proceedings before administrative authorities as they are based on public policy and justice."

(Emphasis supplied)

16. The aforementioned principle was reiterated by the Hon'ble Supreme Court in the case of ***M/s. Faime makers Pvt Ltd., vs. District Deputy Registrar, Co-operative Societies (3), Mumbai and others*** reported in ***2025 INSC 423*** at paragraphs 10 to 13 held as follows:

"10. There is no explanation from the side of respondent No.2-Society with respect to the above findings of the Competent Authority recorded in the order dated 22.02.2021, as to why the same was not challenged before a superior forum. Once the said order has been accepted by the parties and has attained finality, the Competent Authority would not have jurisdiction to entertain a second application contrary to the findings and directions given by the Competent Authority in the first order.



11. It has been settled by this Court that the principle of res judicata applies to and binds quasi-judicial authorities. This Court in Ujjam Bai vs. State of U.P. (1962 SCC OnLine SC 8) has taken the view that principles of res judicata equally apply to quasi-judicial bodies. Whenever a judicial or quasi-judicial tribunal gives a finding on law or fact, its findings cannot be impeached collaterally or in a second round and are binding until reversed in appeal or revision or by way of writ proceedings. The characteristic attribute of a judicial act or decision is that it binds, whether right or wrong. Thus, any error, either of fact or law, committed by such bodies cannot be controverted otherwise by way of an appeal or revision or a writ unless the erroneous determination relates to the jurisdictional matter of that body.

12. This position has been further reinforced in Abdul Kuddus vs. Union of India and others ((2019)6 SCC 604) which relies upon Ujjam Bai (supra). In Abdul Kuddus (supra), this Court held that the opinion by the Foreigners Tribunal is a quasi-judicial order. Therefore, it would be incorrect to hold that the opinion of the Tribunal and/or the consequential order passed by the Registering Authority would not operate as res judicata. Further, it was established that any quasijudicial Authority would not ordinarily have the power to



unilaterally take a contrary view taken by a coordinate or predecessor authority at an early point in time.

13. From the foregoing discussion, it is evident that once a Competent Authority (quasi-judicial in nature) settles an issue, that determination attains finality unless it is set aside in accordance with law."

17. Following the judgment made by the Hon'ble Supreme Court in the above case, the finding recorded by the quasi-judicial authorities on the earlier occasion is aptly applicable to the very same quasi judicial authorities who are respondent Nos.6 and 7 in this writ petition and as such, the order dated 23.12.2009 (Annexure-S) passed by the Spl. Deputy Commissioner, Bangalore District in effecting MR No.14/2003-04 dated 29.05.2009, MR No.14/2003-04 and MR No.1 of 2004-05 dated 21.08.2004 which has reached finality wherein the said authority has directed the respondent No.4-Sri. Ramalingeshwara Mutt to establish their right and title over the property in question before the competent civil court. however, the said order has been ignored by the respondent-authorities while



passing the impugned order at Annexures- W and T and therefore, the finding recorded by the both the respondent-authorities are required to be set aside in this writ petition.

18. Needless to say that, this Court in W.P.No.21904 of 2004 and connected writ petitions disposed of on 16.08.2005 (Annexure- Q) categorically held at paragraphs 8 and 9 as follows:

"8. It is always open for the petitioner as also several impleading applicants who are before this court to make good their case before the civil court if so advised and to get a declaration whereupon the revenue authorities are also required to fall in line with such determination. If any civil suit has already been filed by any interested person and by impleading necessary parties, inter se determination will bind them. If any of the parties find that what relief is sought for before the civil court is not sufficient for their purpose, it is also open to them to seek further relief.

9. Reserving such liberty and with the observation that the order passed by the revenue authorities are not conclusive, these writ petitions are disposed of as not warranting interference or even scrutiny in the exercise of writ jurisdiction for the purpose of determining such



rights and claims put forth by the petitioners or the impleading applicants."

19. The aforementioned order of the learned Single Judge was confirmed in W.A.No.3365 of 2005, disposed of on 28.01.2008 (Annexure-R), and by the Hon'ble Supreme Court in CC No. 10188 of 2008 dated 04.08.2008 and all these orders of this court and Hon'ble Supreme Court was brush aside by the respondent-authorities herein and have shown callousness in passing the impugned order and therefore, action on the part of the respondent-authorities is to be condemned for not following judicial orders of the constitutional courts. Though I find force in the submission made by the learned Senior Counsel appearing for the petitioners that, the respondent No.6 and 7 being the Assistant Commissioner, Bangalore North Taluk and Deputy Commissioner of the Bangalore Urban District, respectively, ought to be taken into task for violating the orders of this Court and the Hon'ble Supreme Court,



referred to above, that apart, and, they were served in the writ petition but remained absent. Therefore, I am of the view that the respondent Nos.6 and 7 have to be seriously cautioned by the Chief Secretary, Government of Karnataka as to pass procedure to be followed while passing the judicial orders by upholding the rule of law principles enshrined in the Constitution of India and to obey the judgments of this Court and the Hon'ble Supreme Court, in strict sense. Hence, I pass the following:

ORDER

- i) Writ petition is ***allowed***;
- ii) Order dated 14.07.2023 in RP No.405 of 2016-17 (Annexure-W) passed by the respondent No.2-Deputy Commissioner, confirming the order dated 18.08.2016 (Annexure-T) in RA (BN) No.159 of 2015-16 passed by the



respondent No.3-Assistant Commissioner, are hereby set aside.

iii) Respondent No.5 is directed to restore the mutation entries in favour of the petitioners in respect of the subject land, if any, changes have been effected pursuant to the aforesaid impugned orders.

iii) The Chief Secretary to the Government of Karnataka is directed to submit a compliance report before this Court regarding summoning of Respondent Nos.6 and 7 and the issuance of appropriate caution to them in terms of the observations made in this order, within a period of one month from the date of receipt of a certified copy of this order.

iv) Registrar General is requested to send this order to the Principal Secretary, Revenue



**NC: 2026:KHC:35357
WP No. 17410 of 2023**

Department and the Chief Secretary of
Karnataka for their further action.

v) No order as to costs.

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

SB
List No.: 1 Sl No.: 67