



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 13<sup>TH</sup> DAY OF JULY, 2026**

**BEFORE**

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

**WRIT PETITION NO.32777 OF 2018 (KLR-RES)**

**BETWEEN:**

1. SRI. GANGAPPA @ GANGAPPA REDDY  
S/O LATE MUNISWAMY  
AGED ABOUT 62 YEARS  
RESIDENTS OF MULLUR VILLAGE  
VARTHUR HOBLI,  
BENGALURU EAST TALUK  
BENGALURU - 560035.
2. SRI. M. GIRISH BABU  
S/O SRI. GANGAPPA @ GANGAPPA REDDY  
AGED ABOUT 32 YEARS  
RESIDENTS OF MULLUR VILLAGE  
VARTHUR HOBLI,  
BENGALURU EAST TALUK,  
BENGALURU - 560035.

...PETITIONERS

(BY SRI. JAYAKUMAR S. PATIL, SENIOR ADVOCATE FOR  
SRI. BHARGAV G. & GAJANAN HEGDE, ADVOCATES)

**AND:**

1. DEPUTY COMMISSIONER  
BENGALURU URBAN DISTRICT  
BENGALURU - 560001.

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



2. THE ASSISTANT COMMISSIONER  
BENGALURU NORTH SUB DIVISION  
BENGALURU - 560001.
3. THE REVENUE INSPECTOR  
PANTHUR CIRCLE,  
VARTHUR - 2,  
BENGALURU EAST TALUK  
BENGALURU URBAN DISTRICT  
BENGALURU - 560035.
4. THE VILLAGE ACCOUNTANT  
PANTHUR CIRCLE,  
VARTHUR - 2,  
BENGALURU EAST TALUK  
BENGALURU URBAN DISTRICT  
BENGALURU - 560035.
5. SMT. NIRMALA  
W/O LATE M.R. JAYARAMAREDDY  
AGED ABOUT 57YEARS,  
VARTHUR HOBLI,  
BENGALURU EAST TALUK  
BENGALURU - 560035.

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA FOR R1 TO R3;  
R4 AND R5 SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226  
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO  
QUASH THE IMPUGNED ORDER DATED 19.06.2018 PASSED BY  
THE RESPONDENT NO.1 VIDE CASE NO.RP.143/2015-16 VIDE  
ANNEXURE-M.



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, the petitioners have assailed the order dated 19.06.2018 passed by respondent No.1 in RP No.143/2015-16 (Annexure-M).

2. Heard Sri. Jayakumar S. Patil, learned Senior Counsel appearing on behalf of Sri. Bhargav G and Gajanan Hegde, learned counsel for the petitioners, Sri. M. Sreenivasa, learned counsel appearing for respondent No.5, and Smt. B.P. Radha, learned Additional Government Advocate for the respondent-State.

3. Sri. Jayakumar S. Patil, learned Senior Counsel appearing for the petitioners, by referring to the Final Decree Proceedings arising out of O.S. No.30/2005 (Annexure-C), contended that respondent



No.2 had rightly interfered with the mutation entries by order dated 16.12.2014 passed in RA(BE) No.152/2012-13 (Annexure-H), however, the said aspect of the matter has been overlooked by respondent No.1 while passing the impugned order at Annexure-M, whereby the well-reasoned order passed by respondent No.2 has been interfered with by respondent No. 1. Accordingly, he sought interference of this Court.

4. The learned Senior Counsel further submitted, by referring to the proceedings in O.S. No.570/2017, that the contesting respondent No.5 is yet to establish her right, title and interest over the property in question before the competent Civil Court. Therefore, learned Senior Counsel for the petitioners submitted that the impugned order deserves to be set aside.



5. Per contra, Sri. M. Sreenivasa, learned counsel appearing for respondent No.5, by referring to the genealogical tree of the parties, submitted that the mutation entries were effected in terms of the order passed by the respondent No.1-Deputy Commissioner. He further contended that allegations of fraud have been raised in the civil proceedings arising out of judgement and degree in O.S. No.30/2005 and, therefore, the interference made by respondent No.1 is just and proper. He further submitted that the khata has rightly been directed to be maintained jointly in the names of the parties and accordingly sought dismissal of the writ petition.

7. Smt. B.P. Radha, learned Additional Government Advocate appearing for the respondent-State sought to justify the impugned order passed by the respondent-Deputy Commissioner.



8. Having heard the learned counsel appearing for the parties and upon careful consideration of the material on record, it is evident that a decree was passed in O.S. No.30/2005 on 26.04.2006 by the I Additional Civil Judge (Sr. Dn.), Bangalore Rural and pursuant to which Final Decree Proceedings were initiated before the competent Court, as evidenced by Annexure-C. Therefore, the rights of the parties, insofar as the properties covered under Schedules 'B' and 'C' are concerned, stand concluded in terms of the judgment and decree in the suit and in the Final Decree Proceedings.

9. Though the learned counsel for respondent No.5 contended that the decree was obtained by playing fraud and referred to the pendency of O.S. No.570/2017, a careful consideration of the records would indicate that the said suit is still pending



adjudication before the competent Civil Court. In the absence of any finding by the competent Civil Court to the contrary, the judgment and decree passed in O.S. No.30/2005 continue to operate and bind the parties.

10. In that view of the matter, respondent No.2, upon due consideration of the material available on record, has rightly rejected the claim of respondent No.5 and directed the Tahsildar to effect mutation in favour of the petitioners in terms of the judgment and decree passed in O.S. No.30/2005. I am of the considered opinion that the order passed by respondent No.2 is just, proper and in accordance with law. Respondent No.1 ought not to have interfered with the well-reasoned order passed by respondent No.2, particularly when the revenue entries were required to be made in conformity with the judgment and decree passed by the competent Civil Court.



11. Accordingly, I find considerable force in the submissions made by the learned Senior Counsel appearing for the petitioners. Hence, I proceed to pass the following:

**ORDER**

- (i) The writ petition is ***allowed***.
- (ii) The order dated 19.06.2018 passed by respondent No.1 in RP No.143/2015-16 (Annexure-M) is hereby set aside.
- (iii) Consequently, the order dated 16.12.2014 passed by respondent No.2 in RA(BE) No.152/2012-13 (Annexure-H) is restored and confirmed.
- (iv) It is made clear that, in the event respondent No.5 succeeds in O.S. No.570/2017, it shall be open to respondent No.5 (plaintiff therein) to approach the competent Revenue Authorities for appropriate



mutation of the revenue entries in accordance with the judgment that may be passed by the Civil Court.

(v) In view of the writ petition being allowed, the jurisdictional Tahsildar is directed to enter the name of the petitioners in the revenue records forthwith, in terms of the judgment and decree passed in O.S. No.30/2005 and the order dated 16.12.2014 passed by respondent No.2.

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

SB  
List No.: 1 Sl No.: 6