



CNR: KAHC010500062026

NC: 2026:KHC:40020-DB
WA No. 1785 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO. 1785 OF 2026 (KLR-RES)

BETWEEN:

SMT. MUNINARAYANAMMA,
D/O LATE MUNIYAPPA,
AGED ABOUT 60 YEARS,
R/O NELLUKUNTE VILLAGE,
TUBAGERE HOBLI,
ANTARAHALLI POST,
DODDABALLAPURA TALUK,
BANGALORE RURAL DIST - 561 203.

...APPELLANT

(BY SRI. AKKAMAHADEVI HIEMATH., ADVOCATE)

AND:

1. STATE OF KARNATAKA,
PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
VIDHANA SOUDHA,
BANGALORE - 560 001.
2. THE DEPUTY COMMISSIONER,
BENGALURU RURAL DISTRICT.
BENGALURU - 560 001.
3. ASSISTANT COMMISSIONER,
DODDABALLPUR SUB-DIVISION,
DODDABALLPUR,
BENGALURU RURAL DISTRICT - 561 203.



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4. TAHSILDAR,
DODDABALLPUR TALUK,
DODDABALLPUR,
BENGALURU RURAL
DISTRICT - 561 203.
5. ASSISTANT TAHSILDAR,
THUBUGERE HOBLI,
DODDABALLPUR TALUK,
BENGALURU RURAL DIST - 561 205.
6. SRI. S. PALAIAH,
AGE AND FATHER NAME NOT
KNOWN TO APPELLANT,
PRESENTLY WORKING
AS, DEPUTY COMMISSIONER,
BENGALURU RURAL DIST.
BENGALURU - 560 001.
7. SRI. C. MANJUNATH,
FATHER NAME NOT KNOWN,
AGED MAJOR, ERSTWHILE
ASST.COMMISSIONER,
DODDABALLPUR SUB-DIVISION,
DODDABALLPUR,
BENGALURU RURAL
DISTRICT - 561 203.
8. SRI. KRISHNAPPA,
S/O.GIRIYAPPA,
AGED MAJOR,
CLAIMS TO BE THE RESIDENT OF
HEGGADAHALLY VILLAGE,
THUBAGERE HOBLI,
DODDABAILAUR TALUK,
BENGALURU RURAL DIST - 561 205.
9. SMT. JYOTHI GOVINDA REDDY,
W/O LATE KRISHNA MURTHY,
AGED ABOUT 65 YEARS,



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R/O FLAT NO 1003, ANUJYOTHI,
APARTMENTS, NO 8, PIPE
LINE ROAD, VGS LAYOUT
EJIPURA, VIVEKMAGAR,
BENGALURU - 560 047.

10. SRI. KEERTHI SESHA,
S/O LATE KRISHNA MURTHY,
AGED ABOUT 46 YEARS,
R/O 356, 5TH MAIN,
4TH AVENUE, NEAR CARMEL
GARDEN PUBLIC SCHOOL
TEACHERS, KORAMANGALA,
1ST BLOCK,
BANGALORE - 560 034.
11. SRI. HARRSHA KRISHNA MURTHY,
S/O LATE KRISHNA MURTHY,
AGED ABOUT 43 YEARS,
R/O 834/A, 1ST FLOOR,
100 FEET ROAD, OPP APEX BANK,
INDIRANAGAR, 1ST STAGE,
BANGALORE - 560 038.
12. M/S NPV DEVELOPERS LLP,
A PARTNERSHIP FIRM,
OFFICE AT NO. 647/396,
5TH FLOOR, BALARAJ ARCADE,
WHITEFIELD MAIN ROAD,
BANGALORE - 560 056.
REPRESENTED BY ITS PARTNER,
SRI. VIKRAM NALAGAMPALLI,
S/O BALARAJ NALAGAMPALLI,
AGED ABOUT 45 YEARS,
13. SMT. PAAPAMMA,
W/O LATE GIRIYAPPA,
AGED ABOUT 73 YEARS,



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14. SMT. RATNAMMA,
D/O LATE GIRIYAPPA,
AGED ABOUT 48 YEARS,
15. SRI. NARAYANASWAMY,
S/O LATE GIRIYAPPA,
AGED ABOUT 46 YEARS,
16. SMT. MANJULA,
W/O SRI. NARAYANASWAMY,
AGED ABOUT 44 YEARS,
17. SRI. DIVAKAR,
S/O SRI. NARAYANASWAMY,
AGED ABOUT 25 YEARS,
18. SRI. SUDHAKAR,
S/O SRI. NARAYANASWAMY,
AGED ABOUT 23 YEARS,
19. SMT. MANJULA,
W/O SRI. KRISHNAPPA,
AGED ABOUT 42 YEARS,
20. MASTER. SAAGAR
S/O SRI.KRISHNAPPA,
AGED ABOUT 19 YEARS,
21. MASTER. SRIDHAR,
S/O SRI. KRISHNAPPA,
AGED ABOUT 17 YEARS,

RESPONDENT NO.21 IS MINOR REPRESENTED BY
HIS NATURAL GUARDIAN, FATHER,
DEFENDANT NO.8 KRISHNAPPA,

RESPONDENT NO. 13 TO 21 ARE R/O
HEGGADAHALLY VILLAGE,
THUBAGERE HOBLI,
DODDABALLAPUR TALUK,



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BENGALURU RURAL
DISTRICT - 561 205.

AND ALSO KELAGINATHOTA,
H S GARDEN, 22ND,
CHIKKABALLAPURA DISTRICT - 562 101.

22. SRI.K.M. MUNIRAJU,
S/O LATE MUNIYAPPA,
AGED ABOUT 32 YEARS,
23. SMT. MAMATHA ALIAS MADHURANI,
D/O LATE MUNIYAPPA,
AGED ABOUT 28 YEARS,
24. SMT. NAVEENA,
D/O LATE MUNIYAPPA,
AGED ABOUT 26 YEARS,
25. MS. ROOPA,
D/O LATE MUNIYAPPA,
AGED ABOUT 23 YEARS,
26. SMT. GANGAMMA,
W/O LATE MUNIYAPPA,
AGED ABOUT 63 YEARS,

RESPONDENT NO.22 TO 26 ALL ARE
RESIDING AT KANIVEPURA VILLAGE,
HEGGADAHALLY POST,
THUBAGERE HOBLI,
DODDABAILPUR TALUK,
BENGALURU RURAL DISTRICT.

...RESPONDENTS

(BY SRI. M.N. SUDEV HEGDE, AGA FOR R1 TO R5,
SRI. S.G. MUNISWAMY GOWDA, ADVOCATE FOR C/R12)



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THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE THE JUDGEMENT DATED:01.07.2026 IN WP NO.22044/2024 PASSED BY THE LEARNED SINGLE JUDGE, AND TO ALLOW THE WP NO.22044/2024 AND ETC.

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE T.M.NADAF)

This intra-Court appeal by the unsuccessful petitioner, assailing the order dated 01.07.2026 passed by the Writ Court in W.P.No.22044/2024.

2. The Writ Court by means of impugned order, dismissed the Writ Petition, observing that in view of the suit filed by the petitioner herself pending in O.S.No.1542/2025 wherein the rights of the parties could be crystallized, and the petitioner could approach the competent authority thereafter.



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3. The parties are referred to as per their ranking before the Writ Court.

4. Facts germane to file the present appeal are as under:

4.1 The petitioner claims that the property which is the subject matter of the Writ Petition was granted in favor of the her father - Muniyappa, by way of Grant Certificate under Grow More Food Scheme in the year 1946-47.

4.2 It was the contention of the petitioner that, pursuant to the Grant Certificate, the name of her father was entered in the revenue records. It was contended that as there was no cultivation due to failure in monsoon, the Government entered its name in the revenue records as "PHADA" by deleting the name of the petitioner's father during the year 1980-81. Thereafter, in the year 1996, the petitioner's father made an application for restoration of his name in



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the revenue record. As there was no response, he made another application on 21.03.2005.

- 4.3 It is the further contention that, one Krishnappa in collusion with the revenue officials, tampered the application filed by the petitioner's father dated 21.03.2005, deleted the name of petitioner's father and inserted his name and got created fabricated order dated 25.01.2010 in RRTCR2323/2004-05, as if it was signed by the then Tahsildar, Doddaballapura.
- 4.4 An appeal came to be filed against the said order before the Assistant Commissioner. Though at the initial point of time, an interim order was granted, subsequently the same was vacated, which was the subject matter of appeal in LNDRA 5/2011-12 before the second respondent - Deputy Commissioner. On the allegations, the Deputy Commissioner initiated enquiry proceedings.



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- 4.5 The then Tahsildar Smt.Rashmi submitted a report stating that, the signature found in the said order is a forged one and the order is a bogus and was not passed by her and the letter head was also created and fabricated, and the purported order was a created one and requested to conduct an enquiry and take appropriate action.
- 4.6 It was further contended by the petitioner that she filed a suit in O.S.No.214/2011 before the Senior Civil Judge, Doddaballapura for Partition and Separate Possession of joint family property against respondents 22 to 26 in the Writ Petition. During the pendency of the suit, Muniyappa (father of the petitioner) died and his children born through Gangamma with whom Muniyappa had relationship, came on record.
- 4.7 The Assistant Commissioner, before whom the appeal was filed in R.A.No.63/2010, dismissed the same.



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Against which, a Revision was filed by the petitioner's father in R.P No.102/2015 before the Deputy Commissioner. The LNDRA 5/2011-12 and Revision Petition No.102/2015, came to be dismissed by the Deputy Commissioner, which was the subject matter in W.P.No.54483/2016 filed by respondents 22 to 26 in the Writ Petition.

- 4.8 The suit filed by the petitioner in O.S.No.214/2011 came to be partly decreed, declaring share of the plaintiff.
- 4.9 It was the further case of the petitioner that, respondents 22 to 26, who filed W.P.No.54483/2016 were colluded with Krishnappa and were venturing to withdraw the Writ Petition afore. This made the petitioner to file the present Writ Petition, assailing the order dated 25.01.2010 in Proceedings No.RRTCR2323/2004-05 passed by the fourth respondent (Annexure-E) and order dated



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05.01.2015 passed by the third respondent - Assistant Commissioner in No.RA(Do):63/2010-11 (Annexure-H) and the order dated 27.09.2016 passed by the second respondent in LNDRA 05/2011-12 and RP No.102/2015-16 (Annexure-J) and a direction to respondent No.3 to consider the representations dated 06.12.1996, 21.03.2005, 03.01.2007 and 22.08.2007 (Annexures-D, D1, D2 and D4).

4.10 Before the Writ Court, it was contended by the petitioner that the order dated 25.01.2010 passed in the teeth of report by the then Tahsildar that, the signature found in the said order was not signed by her and it was a forged document and on the basis of fraudulent document, the revenue authorities entered the name of the respondents.

4.11 The Writ Court considering the fact that pursuant to filing of the Writ Petition, the petitioner herself has



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filed a suit in O.S.No.1542/2025 before the competent Civil Court, challenging the registered Confirmation Deed dated 13.02.2025, was of the opinion that the petitioner's contention that the Tahsildar had submitted a report to the Revenue Authorities stating that her signature had been forged raises a disputed question of fact and it cannot be adjudicated under Article 226 of the Constitution and requires a proper inquiry by the competent Court.

4.12 The Writ Court in the impugned order, especially at Paragraph No.12 has observed that, as per the finding recorded by the Revenue Authorities as well as the documents placed on record, there was no Grant Certificate forthcoming that alleged to have been issued in favor of the petitioner's father. The Writ Court in order to ascertain the veracity of the submission that the land has been granted in favor of the petitioner's father under GMF Scheme, directed



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the petitioner to produce at least the photocopy of the same for ascertaining the Grant. However, the petitioner replied that, there was no such Grant Certificate available.

4.13 The Writ Court considering these aspects of the matter, as well as the finding of the Revenue Authorities and the suit filed by the petitioner herself challenging the Confirmation Deed is pending consideration, was of the opinion that till the rights are crystallized in the suit, no interference is called for in respect of the orders impugned. However, stated that it is open for the petitioner to approach the competent authority after the conclusion of proceedings in O.S.No.1542/2025 and disposed of the Writ Petition. It is this order passed by the Writ Court, is called in question in this Writ Appeal.

5. Heard, Smt.Akkamahadevi Hiremath, learned counsel appearing for the appellant, Sri.M.N.Sudev Hegde,



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learned Additional Government Advocate appearing for the State and Sri.S.G.Muniswamy Gowda, learned counsel appearing for caveator/ respondent No.12.

6. Smt.Akkamahadevi, learned counsel appearing for the appellant reiterated the very same submissions made before the Writ Court and invited our attention to Annexure-E Official Memorandum dated 25.01.2010 contending that the Tahsildar who said to have subscribed her signature, has submitted a report, in the enquiry before the Deputy Commissioner in LNDRA 5/2010 stating that, the order is a bogus order. In that view of the matter, the entire revenue entries which were resulted based on such fraudulent document is *non-est* in law, the Writ Court has failed to consider this aspect of the matter.

6.1 Learned counsel further submitted that as per Annexure-C, purported to be the extract of relevant portion of Register of Applications, wherein at Sl.No.43 the name of petitioner's father - Muniyappa



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has been stated in respect of land in Sy.No.102 to an extent of 08 Acres 28 Guntas of land and referred to Section 85 of the Karnataka Land Revenue Act, 1964, which refers to Register of Alienated Lands, to contend that, the entry in the register is a reference to the application filed, deemed to be considered as Grant Certificate. The Writ Court has failed to consider this aspect of the matter and accordingly, sought to allow the appeal.

7. In contrast, Srii.M.N.Sudev Hegde, and Sri.S.G.Muniswamy Gowda, argued in support of the order passed by the Writ Court stating that there is no Grant Certificate available on record.

8. Having heard the learned counsel for the respective parties, we have perused the entire Writ Appeal papers.

9. We have perused Section 85 of the Karnataka Land Revenue Act, 1964.



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10. Section 85 of the Act states about Register of alienated lands, which reads as under:

*"85. **Register of alienated lands:** A register shall be kept by the Deputy Commissioner in such form as may, from time to time, be prescribed by the Government, of all lands the alienation of which has been established or recognised under the provisions of any law for the time being in force; and when it shall be shown to the satisfaction of the Deputy Commissioner that a sannad granted in relation to any such alienated lands has been permanently lost or destroyed, he may, subject to the rules and the payment of such fees as may be prescribed, grant to any person whom he may deem entitled to the same, a certified extract from the said register which shall be endorsed by the Deputy Commissioner to the effect that it has been issued in lieu of the sannad said to have been lost or destroyed, and shall be deemed to be as valid a proof of title as the said sannad."*

11. What follows from reading Section 85 is that, if to the satisfaction of the Deputy Commissioner, it is shown that a sannad granted in relation to any such alienated



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lands has been permanently lost or destroyed, he may issue certified extract from the said register, that is endorsed to the effect that, it has been issued in lieu of the sannad said to have been lost or destroyed, and it shall be deemed to be as a valid proof of title as the original sannad, subject to compliance of rules and the payments of such fees as may be prescribed.

12. We have perused Annexure-C. Viewed from any angle, the said document does not fit in Section 85 of the Act. The said document purported to be an extract of Register of Application filed on 24.11.2005 with signature of some Tahsildar. The said document cannot be equated to a document which is prescribed under Section 85. In that view of the matter, the submission of learned counsel for the appellant Smt.Akkamahadevi stand to no reason and require to be rejected. Accordingly, is rejected.

13. So far as fraudulent document is concerned, as rightly observed by the Writ Court, neither the Writ Court



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nor the Revenue Authorities have the jurisdiction to dwell upon the disputed questions of fact, as the same requires proper adjudication before the competent Forum, in view of categorical finding of the Writ Court at Paragraph No.12, which reads as under:

"12. A perusal of the finding recorded by both the authorities and material on record placed before this Court would indicate that no grant certificate has been issued in favour of the father of the petitioner. Even for the sake of argument, this Court directed the learned counsel for the petitioner to produce atleast true copy of the same, however, the reply was that, no grant certificate. In that view of the matter, taking into consideration the finding recorded by both the authorities, and also as the suit in OS No. 1542/2025 which is filed by the petitioner before the competent Civil Court, challenging a registered confirmation deed dated 13.02.2025 is pending consideration before the competent Civil Court, wherein rights of the parties have to be crystallized, I am of the view that, no interference is called for in this Writ Petition. However, it is open for the petitioner to approach the competent authority, after the conclusion of the proceedings in O.S.No.



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1542/2025, wherein the rights of the parties could be crystallized in the above suit and accordingly, the Writ Petition is dismissed."

we are of the considered opinion that, in the absence of a Grant Certificate, nothing remains for the Revenue Authorities to consider the case of the appellant, nor for the Writ Court or for us. In that view of the matter, we find no infirmity in the order passed by the Writ Court, accordingly the appeal fails and dismissed.

14. We make it clear that, in view of pendency of suit in O.S.No.1542/2025 on the file of Senior Civil Judge, Doddaballapura, the rights of the parties are to be considered and adjudicated on the evidence placed by them independently, without being influenced by any observations of any authorities or this Court in Writ Petition or Writ appeal. With these observations, the Writ Appeal stand ***disposed of***.

15. In view of disposal of the Writ Appeal, pending interlocutory applications, if any, stand disposed of.



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16. Given the facts and circumstances, no order as to costs.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

TKN
List No.: 1 Sl No.: 5
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