



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 01ST DAY OF JULY, 2026

BEFORE

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

WRIT PETITION NO.22135 OF 2022 (KLR-RES)

BETWEEN:

SMT. SUNANDA
W/O CHENNATHIMMEGOWDA,
R/AT CHENNATHIMMIAHNAPALYA VILLAGE,
SOMPURA HOBLI,
NELAMANGALA TALUK-562 123,
BENGALURU RURAL DISTRICT.

...PETITIONER

(BY SRI. SRINIVASA T. GOWDA, DVOCATE)

AND:

1. THE DEPUTY COMMISSIONER
BENGALURU RURAL DISTRICT
BENGALURU - 562 110.
2. THE ASSISTANT COMMISSIONER
DODDABALLAPURA SUB-DIVISION,
DODDABALLAPURA
BENGALURU RURAL DISTRICT - 561 203.
3. THE TAHSILDAR
NELAMANGALA TALUK,
NELAMANGALA
BENGLAURU RURAL DISTRICT-562 123.



4. REVENUE INSPECTOR
SOMPURA HOBLI,
NELAMANGALA TALUK
NELAMANGALA- 562 123
BENGALURU RURAL DISTRICT.
5. SRI. C.G. VENKATESH
S/O LATE GOPALIAH,
AGED ABOUT 44 YEARS,
R/AT CHENNATHIMMAHAIAHNAPALYA VILLAGE,
SOMPURA HOBLI,
NELAMANGALA TALUK-562 123
BENGALURU RURAL DISTRICT.
6. SRI. RAMAKRISHNAIAH
S/O LATE GOPALIAH
R/AT CHENNATHIMMAHAIAHNAPALYA VILLAGE,
SOMPURA HOBLI,
NELAMANGALA TALUK-562 123
BENGALURU RURAL DISTRICT.

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA FOR R1 TO R4;
SRI. S.G. HEGDE, ADVOCATE FOR R5 AND R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER PASSED BY THE RESPONDENT NO.2 AUTHORITY IN R.A(N) NO.62/2016-17 DATED 23.10.2017 WHICH IS ANNEXURE-C IN RESPECT OF LAND BEARING SY.NO. 58/1, MEASURNG TO AN EXTENT OF 3 ACRE 26 GUNTAS OF LAND, SITUATED AT HOSAHALLI VILLAGE, SOMPURA HOBLI, NELAMANGALA TALUK, BENGALURU RURAL DISTRICT AND TO RESTORE THE ORDER PASSED BY THE RESPONDENT NO.3



VIDE M.R.NO.21/2005-06 VIDE ANNEXURE-G AND BE PLEASED TO ALLOW THE ABOVE WRIT PETITION.

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 the present writ petition, the petitioner has assailed the order dated 23.10.2017 passed by Respondent No.2-Assistant Commissioner in R.A. No. 62/2016-17 (Annexure-C).

3. Having heard the learned counsel appearing for the parties, it is noticed that the mutation entry was made on the basis of the registered Will dated 21.06.1997. The said mutation has been interfered with by Respondent No.2 under the order at Annexure-C to the writ petition.



4. Following the declaration of law made by the Hon'ble Supreme Court in the case of ***Tarachandra vs. Bhawarlal and another*** reported in ***2025 INSC 1485*** and considering that the mutation entry was effected on the basis of a registered Will, I am of the opinion that the findings recorded by Respondent No. 2 in the order at Annexure-C cannot be sustained and are liable to be set aside.

5. Insofar as Respondent Nos. 5 and 6 are aggrieved by the execution or validity of the registered Will, it is open to them to approach the competent Civil Court to establish their rights in accordance with law.

6. Accordingly, the writ petition is ***allowed***. The order dated 23.10.2017 passed by Respondent No.2 in R.A. No. 62/2016-17 (Annexure-C) is hereby set aside. Consequently, the mutation entry in favour



of the petitioner shall stand restored on the basis of the registered Will dated 21.06.1997. Consequently, the order dated 17.11.2020 (Annexure-F) is also set aside.

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

SB
List No.: 1 Sl No.: 4