



CNR: KAHC010521302026

NC: 2026:KHC:40643
WP No. 23655 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF AUGUST, 2026

BEFORE

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

WRIT PETITION NO. 23655 OF 2026 (KLR-RES)

BETWEEN:

1. SRI. K.S. NAGESH
S/O. LATE SUBBEGOWDA,
AGED ABOUT 74 YEARS,
2. SRI. NANDAKUMAR
S/O K.S. NAGESH,
AGED ABOUT 50 YEARS,

BOTH ARE RESIDING AT RAGALAKUPPE VILLAGE,
ANTHARASANTHE HOBLI,
H.D. KOTE TALUK,
MYSURU DISTRICT - 571 118.

...PETITIONERS

(BY SRI. G.B. SHARATH GOWDA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
M.S. BUILDING,
BENGALURU - 560 001.
2. DEPUTY COMMISSIONER,
MYSORE DISTRICT,
MYSORE - 570 001

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



NC: 2026:KHC:40643
WP No. 23655 of 2026

CNR: KAHC010521302026

3. ASSISTANT COMMISSIONER,
HUNSUR SUB-DIVISION,
HUNSUR, MYSURU DISTRICT - 571 105.
4. THE TAHSILDAR,
H. D. KOTE TALUK, H. D. KOTE,
MYSURU DISTRICT - 571 114.
5. SRI. N. RAMESH
S/O. LATE JAYARAMASHETTY,
AGED ABOUT 65 YEARS,
FLAT NO.101, BOMBAY HOUSE,
NO.55, KANAKAPURA ROAD,
BASAVANAGUDI,
BENGALURU - 560 004

...RESPONDENTS

(BY SRI. B.P. RADHA, AGA FOR R1 TO R4
SRI. RAJESH MAHALE, SENIOR ADVOCATE FOR
SRI. S. JAYARAMA BHAT, ADVOCATE FOR C/R5)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A) ISSUE A WRIT OF CERTIORARI OR ANY OTHER WRIT/S OR DIRECTION OR ORDER QUASHING THE ORDER DATED 03.07.2026 (DIGITALLY SIGNED AND UPLOADED ON 09.07.2026) PASSED BY THE 2 RESPONDENT, IN RP NO. 364/2025 AT ANNEXURE-A AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

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



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NC: 2026:KHC:40643
WP No. 23655 of 2026

ORAL ORDER

Learned AGA accepts notice for respondents No.1 to 4.

2. Sri Rajesh Mahale, learned Senior counsel appearing on behalf of Sri S.Jayarama Bhat, learned counsel for caveator/ respondent No.5

3. In this petition, the petitioners are assailing the order dated 03.07.2026 (Annexure-A) passed by respondent No.2 in RP No.364/2025 interalia sought for writ of mandamus to respondent No.4 to restore the revenue entries pertaining to the subject land in favour of petitioner No.2.

4. Sri G.B.Sharath Gowda, learned counsel appearing for the petitioners, while inviting the attention of the Court to the registered GPA dated 20.03.2008 (Annexure-B), submitted that the executant of the GPA, K.S.Rajapa died on 18.07.2010 (Annexure-C) and therefore submitted that the alleged registered sale deed dated 15.01.2025 registered on 16.01.2025 made in favour of respondent No.5 is fictitious and accordingly sought for interference of the same. It is also argued by the learned counsel appearing for the petitioners by



CNR: KAHC010521302026

referring to the compromise decree dated 14.09.2024 (Annexure-F) that the mutation had been effected in favour of the petitioners herein; however, the same was interfered with by respondent No.2 vide impugned order at Annexure-A and therefore, sought for interference of this Court.

5. Per contra, Sri. Rajesh Mahale, learned Senior counsel appearing on behalf of Sri S. Jayarama Bhat for respondent No.5, invited the attention of the Court to the parties in O.S.No.106/2024 (Annexure-F) and contended that the said compromise has been effected before the Trial Court by leaving out the other legal representatives and that apart, the mutation has been effected based on the registered sale deed dated 15.01.2025 registered on 16.01.2025 and therefore sought for dismissal of the writ petition.

6. It is also argued by the learned Senior counsel for respondent No.5 that the petitioners herein had filed O.S.No.140/2026 before the Principal Senior Civil Judge and JMFC at H.D.Kote, and therefore, as the suit is pending consideration before the Civil Court and the petitioners have to



CNR: KAHC010521302026

**NC: 2026:KHC:40643
WP No. 23655 of 2026**

prove their title in respect of the land in question, accordingly, sought for dismissal of the petition.

7. Learned AGA also sought to justify the impugned order at Annexure-A.

8. In the light of the submission made by learned counsel appearing for the parties and on careful consideration of the writ papers, indicate that the mutation has been effected in favour of respondent No.5 based on the registered sale deed at Annexure-D. It is also to be noted that the petitioners herein had filed O.S.No.140/2026 before the Civil Court and the rights of the parties are yet to be crystallized in the aforementioned suit. Though the learned counsel appearing for the petitioners has placed reliance as to the GPA at Annexure-B and contended that the executant of the GPA died, as per Annexure-C and also stated about the compromise decree in O.S.No.106/2024, however, these aspects has been considered by respondent No.2 while passing the impugned order. It is also to be noted that there is a discrepancy as to the names of the parties with regard to the legal representatives of deceased K.S.Rajappa. In



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WP No. 23655 of 2026

that view of the matter, since the mutation has been effected based on the registered sale deed referred to above and suit is being filed by the petitioners, I am of the view that no interference is required in this petition. Accordingly, the writ petition is ***dismissed***.

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

HDK
List No.: 1 SI No.: 41