



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF JUNE, 2026

BEFORE

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

WRIT PETITION NO. 24792 OF 2025 (KLR-RES)

BETWEEN:

1. MUNIRAJU D
S/O DODDA AKKANNAPPA,
AGED ABOUT 68 YEARS.
2. NARAYANAPPA D
S/O DODDA AKKANNAPPA
AGED ABOUT 62 YEARS.

BOTH ARE RESIDING AT
SINGANAYAKANAHALLI VILLAGE,
YELAHANKA HOBLI,
YELAHANKA TALUK,
BENGALURU URBAN DISTRICT - 560064.

...PETITIONERS

Digitally signed (BY SRI. BHASKAR GOWDA N M., ADVOCATE)
by CHAYA S A
Location: HIGH
COURT OF
KARNATAKA

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF REVENUE
M.S.BUILDING
BANGALORE - 560001.
2. THE ASSISTANT COMMISSIONER
BENGALURU NORTH SUB-DIVISION,
KANDAYA BHAVAN, K.G.ROAD,
BENGALURU - 560009.



3. THE SPECIAL TAHSILDAR
YELAHANKA TALUK,
YELAHANKA,
BENGALURU - 560064.
4. SRI MUNIKRISHNA
S/O VENKATAPPA,
AGED ABOUT 60 YEARS,
NO.234,
SINGANAYAKANAHALLI VILLAGE,
YELAHANKA TALUK,
BANGALORE URBAN DISTRICT - 560064..
5. SMT. MANGALA ALIAS MANGALAMMA
D/O VENKATAPPA,
W/O NAGARAJ @ NAGAPPA C
AGED ABOUT 58 YEARS
R/AT NO. 1601, 2ND CROSS,
GANDHINAGAR
YELAHANKA
BENGALURU - 560064.

...RESPONDENTS

(BY SRI.SPOORTHY HEGDE N, HCGP FOR R1 TO R3,
R4 & R5 - SD & UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER DATED 10.06.2025 PASSED BY THE R2/ ASSISTANT COMMISSIONER, BANGALORE NORTH SUB-DIVISION IN RA (YLK) NO. 385/2025 AS PER ANNEXURE-A AND ETC.

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 petition, the petitioners are assailing the order dated 10.06.2025 (Annexure-A) passed by respondent No.2 and inter-alia have sought for a direction to respondent No.3 to restore the revenue entries as to before passing of the order dated 10.06.2025 in R.A.(YLK) No.385/2025 in respect of the subject matter of the land.

2. Heard the learned counsel appearing for the parties.

3. It is the case of the petitioners that the land bearing Survey No.76 is a gomal land and the grandmother of the petitioners was in un-authorised cultivation of the land to an extent of 4 acres in Survey No.76. It is also stated that, the respondents-Government has issued a saguvali chit dated 27.12.1954 in favour of the grandfather of the petitioners, Bagalur Munishamappa. It is also stated that, the grandfather of the petitioners died on 10.02.1980 leaving behind the mother of the petitioners and other family members to succeed to the



schedule property. It is also stated that the mother of the petitioners along with her siblings filed OS No.268/1995 before the Civil Judge and JMFC, Devanahalli, seeking relief of partition in respect of the subject matter of the land and the said suit came to be decreed on 12.10.2006, wherein, the mother of the petitioners acquired 1/10th share in the aforementioned property by virtue of the judgment and decree passed by the Trial Court. Thereafter, F.D.P No.9/2011 was filed before the competent Court and the judgment and decree in F.D.P No.9/2011 dated 09.07.2018 is produced as Annexure-B to the writ petition.

4. In that view of the matter, the petitioners have been declared as owners in possession of the subject land. In RRT proceedings before the Special Tahsildar, Yelahanka, the respondent Nos.4 and 5 have questioned the entries in the revenue records and accordingly, the Tahsildar by order dated 03.03.2022 (Annexure-D),



directed to maintain status quo with respect to revenue entries.

5. Thereafter, respondent Nos.4 and 5 have approached respondent No.2 by filing R.A.(YLK) 385/2025, seeking entry in the mutation register in terms of the will dated 19.02.2020. In the said proceedings, the petitioners were not made as parties. Respondent No.2 allowed the appeal on 10.06.2025. Being aggrieved by the same, the petitioners have challenged the same before this Court.

6. Sri Baskar Gowda N.M, learned counsel appearing for the petitioners, submitted by referring to the judgment and decree passed in O.S.No.268/1995 and the judgment and decree in F.D.P.No.9/2011 (Annexure-B) that, the grandmother of the petitioners had acquired the property as per the judgment and decree passed by the competent Court. However, the same has been interfered with by respondent No.2 and in the said proceedings, the petitioners were not made as parties. Accordingly sought for interference of this Court.



7. Respondent Nos.4 and 5 are served and have remained absent.

8. Learned High Court Government Pleader appearing for the respondents No.1 to 3 submitted that the petitioners are having efficacious remedy under Section 136(3) of the Karnataka Land Revenue Act, 1964 and therefore sought for dismissal of the petition.

9. In light of the submissions made by the learned counsel appearing for the parties, I have carefully examined the factual aspects on record, wherein it is not in dispute that, the mother of the petitioners had acquired the property in question in terms of the judgment and decree passed on 12.10.2006 in OS No.268/1995, wherein the mother of the petitioners got 1/10th share in the suit schedule property which is the subject matter in the writ petition. The said aspect is also fortified in the judgment and decree passed in F.D.P.No.9/2011 on the file of the Additional Civil Judge and JMFC, Devanahalli (Annexure-B).



10. In that view of the matter, the petitioners had acquired the property in terms of the judgment and decree passed by the Civil Court, the same ought not to have been interfered with by the respondent-authorities by effecting mutation in favour of respondent Nos.4 and 5.

11. I have also noticed from the order dated 18.08.2025 passed by this Court. Though the learned High Court Government Pleader submitted that the petitioners are having an efficacious remedy under Section 136(3) of the Karnataka Land Revenue Act, 1964, on careful consideration of the impugned order dated 10.06.2025 (Annexure-A), wherein, the respondent No.2 without considering the material on record as to the ownership of the petitioners herein in respect of the subject matter, has passed an order, holding that the khata has to be made in joint names of Munikrishna and Mangala and the said order is passed without jurisdiction and there is error apparent on the face of the record itself. In that view of the matter, I find force in the submission made by the



learned counsel for the petitioners. Accordingly, I pass the following order:

ORDER

1. Writ Petition is allowed.
2. The order dated 10.06.2025 (Annexure-A) passed by respondent No.2 is hereby set aside.
3. Respondent No.3 is directed to restore the revenue entries as stood before passing of the impugned order at Annexure-A within four weeks from the date of receipt of copy of this order.

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

BKM
List No.: 1 Sl No.: 6