



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 18622 OF 2024 (GM-R/C)

BETWEEN:

SRI. S. PRABHAKAR MAYYA
S/O. S. DASAMAYYA,
AGED ABOUT 75 YEARS,
R/AT SHWETHA, NO. 1-160-3A,
ADARSHA NAGARA,
BAJJAI, MANGALURU TALUK,
D.K. DISTRICT-575 007.

...PETITIONER

(BY SRI. S.S.PARIKSHIT, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP. BY ITS SECRETARY TO
THE DEPARTMENT OF ENDOWMENT,
VIDHANA SOUDHA,
BENGALURU-560 001.
2. THE COMMISSIONER
KARNATAKA STATE DHARMIKA PARISHATH TRIBUNAL,
4TH FLOOR, SRI. ANJANEYA VARTHA BHAVAN,
CHAMARAJAPETE,
BENGALURU-560 018.
3. THE DEPUTY COMMISSIONER
HINDU RELIGIOUS INSTITUTIONS
AND CHARITABLE ENDOWMENTS,
MANGALURU,
DAKSHINA KANNADA-575 001.

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



4. ASSISTANT COMMISSIONER
DAKSHINA KANNADA ZILLA
DHARMIK PARISHATH,
MANGALURU,
D.K. DISTRICT-575 001.
5. TAHASILDAR
MANGALURU TALUK,
MANGALURU,
D.K. DISTRICT-575 001.
6. DR. S. GANAPATHI MAYYA
S/O. S. DASAMAYYA,
AGED ABOUT 73 YEARS,
R/AT HAMSA, NO. 13-4/5, NEAR SRI. SADASHIVA
MAHAGANAPATHI TEMPLE,
SURATKAL, MANGALURU TALUK,
D.K. DISTRICT-575 011.
7. SRI. S. VENKATRAMANA MAYYA
S/O. V. KRISHNA MAYYA,
R/AT SIRASHILA NO. 10-1/1A,
2ND CROSS, SADASHIVANAGARA,
SURATKAL,
MANGALURU TALUK,
D.K. DISTRICT-575 011.

...RESPONDENTS

(BY SRI. C.H.DEVARAJ, GA FOR R-1 TO R-5
SRI. VINAYAKA.B, ADVOCATE FOR R-6
SMT. SOHANI HOLLA, ADVOCATE FOR R-7)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER
PASSED BY THE R-2 DTD. 28.06.2024 BEARING NO. RDP TRI
07/2023-24 VIDE ANNEX-B IN SO FAR AS APPOINTING THE R-6
AS THE HEREDITARY TRUSTEE AND ARCHAKA OF
SRI.SADASHIVA GANAPATHI TEMPLE SURATAKAL MANGALURU
DISTRICT.



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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs:

- "a. *Quash the order passed by the 2nd respondent dated 28.6.2024 bearing No.RDP TRI 07/2023-24 vide Annexure B in so far as appointing the 6th respondent as the hereditary trustee and Archaka of Sri. Sadashiva Ganapathi temple Suratkal. Mangaluru District, in the interest of justice and equity.*
- b. *And further grant any such other relief that this Hon'ble Court deems fit to grant in the interest of justice and equity."*

2. Initially, respondent No.6 and subsequently, the petitioner and respondent No.7 had filed applications before the Assistant Commissioner, to be appointed as Hereditary Trustee. The said application has been forwarded by the Assistant Commissioner to the Rajya Dharmika Parishat, who had passed the order



under Section 20(A)(1)(d) of the Karnataka Hindu Religious Institutions and Charitable Endowments Act, 1997 (hereinafter referred to as 'the Act' for short) since there was a dispute as regards who the Hereditary Trustee has to be. It is that order which is under challenge in terms of the order passed by Rajya Dharmika Parishat, petitioner and respondent No.6 were appointed as Hereditary Trustee. The petitioner is before this Court challenging the appointment of respondent No.6 as Hereditary Trustee.

3. The petitioner's remedy is under Section 63A of the Act. The said provision is reproduced hereunder for easy reference:

"63A. Appeal to the Rajya Dharmika Parishat and appeal against its order.-

(1) Any person aggrieved by the order of Rajya Dharmika Parishat in exercise of its original jurisdiction may prefer an appeal to High Court on a substantial question of law.



(2) Any person aggrieved by the orders passed by the Zilla Dharmika Parishat under any of the provisions of this Act may appeal to the Rajya Dharmika Parishat within a period of thirty days from the date of the order. The Rajya Dharmika Parishat shall after giving notice to all the concerned parties and on hearing both the parties pass orders in accordance with law."

4. A perusal of sub-section (1) of Section 63A indicates that any person aggrieved by the order of the Rajya Dharmika Praishat in exercise of its original jurisdiction, may prefer an appeal to the High Court on a substantial question of law.
5. In the present case, the order appointing the petitioner and respondent No.6 as Hereditary Trustee is in pursuance of the powers vested under clause (d) of subsection (1) of Section 20A of the Act, in exercise of the original jurisdiction of the Rajya Dharmika Parishat.
6. In that view of the matter, the present writ petition is not maintainable. Hence, this Court passes the following:



ORDER

- i) The petition is hereby ***dismissed***.
- ii) The liberty is however reserved to the petitioner to avail of the remedy of an appeal under sub-section (1) of Section 63A of the Karnataka Hindu Religious Institutions and Charitable Endowments Act, 1997.
- iii) The petitioner would be entitled to the benefit of Section 14 of the Limitation Act, 1963.
- iv) The interim order granted by this Court is extended by a period of 10 days to enable the petitioner to file necessary appeal.
- v) If an appeal is filed, it would be for the Appellate Court to decide on the grant or otherwise of the interim prayer.



- vi) All rival contentions on all aspects of the matter are kept/left open and no opinion is expressed on merits/demerits of the rival contentions.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

MDS
List No.: 1 SI No.: 47