



NC: 2026:KHC:6471
WP No. 28195 of 2025
C/W WP No. 19838 of 2025
WP No. 22349 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 04TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO.28195 OF 2025 (KLR-RR/SUR)

C/W

WRIT PETITION NO.19838 OF 2025 (KLR-RES)

WRIT PETITION NO.22349 OF 2025 (KLR-RES)

IN WP No. 28195/2025

BETWEEN:

1. SRI. H R BASAVARAJU
S/O LATE RAMAIAH
AGED ABOUT 65 YEARS
R/AT HEGGONDANAHALLI VILLAGE
SARJAPURA HOBLI
ANEKAL TALUK
BENGALURU URBAN DISTRICT - 562125.

...PETITIONER

(BY SRI. JAGADISH N., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY SECRETARY
REVENUE DEPARTMENT
M S BUILDING
BENGALURU - 560001.
2. THE DEPUTY COMMISSIONER
ANEKAL TALUK
BENGALURU URBAN DISTRICT - 562106.



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3. THE ASSISTANT COMMISSIONER
BENGALURU SOUTH SUB-DIVISION
KANDAYA BHAVAN
BENGALURU - 560009.
4. THE TAHSILDAR
ANEKAL TALUK
ANEKAL
BENGALULRU URBAN DISTRICT - 562106.

...RESPONDENTS

(BY SRI. SHAMANTH NAIK, HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER DATED 18/03/2025 PASSED BY THE RESPONDENT NO.3 IN R.A.(A) NO.205/2018-19 (ANNEXURE-A) AS AGAINST THE PETITIONER'S PROPERTY; AND ETC.

IN WP NO. 19838/2025

BETWEEN:

1. B.M. LAKSHMINARAYANA
S/O MUNISWAMY
AGED ABOUT 65 YEARS
R/AT HEGGONDANAHALLI VILLAGE
SARJAPUR HOBLI
ANEKAL TALUK - 562125.
2. B.L. ANUP KUMAR
S/O B.M. LAKSHMINARAYANA
AGED ABOUT 35 YEARS
R/AT HEGGONDANAHALLI VILLAGE
SARJAPUR HOBLI
ANEKAL TALUK - 562125.

...PETITIONERS

(BY SRI. SUBRAMANYA R., ADVOCATE FOR
SMT. SAKSHI M. KRISHNA, ADVOCATE)



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AND:

1. THE STATE OF KARNATAKA
REP BY SECRETARY
REVENUE DEPARTMENT
M.S. BUILDING
BENGALURU - 560 001.
2. DEPUTY COMMISSIONER
ANEKAL TALUK
BENGALURU RURAL DISTRICT - 562 106.
3. ASSISTANT COMMISSIONER
BENGALURU SOUTH SUB DIVISION
BENGALURU - 560009.
4. TAHSILDAR
ANEKAL TALUK
ANEKAL - 562106.

...RESPONDENTS

(BY SRI. SHAMANTH NAIK, HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 18/03/2025 PASSED BY THE RESPONDENT NO.3 IN R.A.(A) NO. 201/2018-19 (ANNEXURE-A) AS AGAINST THE PETITIONER'S PROPERTIES; AND ETC.

IN WP NO. 22349/2025

BETWEEN:

1. SMT. CHANNAMMA,
W/O BACHANNA
AGED ABOUT 95 YEARS,
R/AT NO.108, 4TH MAIN



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G M PALYA, NEW THIPPASANDRA POST
BENGALURU - 560 075.

...PETITIONER

(BY SRI. VIJAYAKUMAR K., ADVOCATE FOR
SRI. LOKESH. K., ADVOCATE)

AND:

1. THE ASSISTANT COMMISSIONER
BENGALURU SOUTH SUB-DIVISION
KANDAYA BHAVAN, K G ROAD
BENGALURU - 560 009.
2. THE TAHSILDAR
ANEKAL TALUK
ANEKAL - 562 106.
3. JAYAMMA
W/O H.P. NARAYANAPPA
MAJOR IN AGE.
4. C.K. MANJULA
W/O LATE NAGARAJU
MAJOR IN AGE.
5. SURESH HARISH BABU
S/O LATE H.P. NARAYANAPPA
MAJOR IN AGE.
6. B.M. LAKSHMINARAYANA
S/O MUNISWAMY
MAJOR IN AGE.
7. PILLA REDDY
S/O LATE HANUMAPPA
MAJOR IN AGE
8. B.L. ANOOP KUMAR
S/O B.M. LAKSHMINARAYANA
MAJOR IN AGE,



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RESPONDENTS NO. 2 TO 8 ARE
R/AT HEGGONDAHALLI VILLAGE,
SARJAPURA HOBLI
ANEKAL TALUK
BENGALURU URBAN DISTRICT-560 087.

...RESPONDENTS

(BY SRI. SHAMANTH NAIK, HCGP FOR R1 AND R2;
SRI. SUBRAMANYA R., ADVOCATE FOR
SMT. SAKSHI M. KRISHNA, ADVOCATE FOR R6 AND R8;
V/O DATED 27.10.2025 NOTICE TO R3, R4, R5 & R7 ARE
DISPENSED WITH)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE IMPUGNED ORDER DATED 18/03/2025 PASSED BY
THE RESPONDENT NO.1 IN R.A.(A) NO.201/2018-19
(ANNEXURE-A) AND ETC.

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

In W.P.No.19838 of 2025, the learned Additional
Government Advocate accepts notice for all the
respondents.

2. Though the matters are listed for Preliminary
Hearing, with the consent of the learned counsels



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appearing for the petitioners and the learned Additional Government Advocate, the writ petitions are taken up for final disposal.

3. The grievance of the petitioner, common in all these writ petitions, are that the Assistant Commissioner, Bangalore South Sub-Division, who had no authority at all, has passed the impugned orders at Annexure-A in proceedings bearing No.RA (A) Nos. 201/2018-19 and 205 of 2018/19, by invoking powers under Section 136 (2) Karnataka Land Revenue Act, 1964 (for short, the 'Act'). By the said orders, the Assistant Commissioner has directed for deletion of the names of the petitioners from the revenue records and enter the name of the Government in Columns No.9 and 12(2) of the RTC.

4. Learned counsel appearing for the petitioners submits that firstly, there is no such power vested with the Assistant Commissioner which can be invoked under Section 136(2) of the Act to delete the names of the



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petitioners, at the instance of the Thasildar, Anekal Taluk. A plain reading of the impugned order clearly shows that despite the revenue records, being maintained in the names of the petitioners, their forefathers or predecessors in title, it is contended by the Thasildar that the original entry made in the revenue records in favour of grantees is a wrong entry, there being no such grants made in favour of those persons.

5. Learned counsel appearing for the petitioners further submits that such orders could not have been passed by the Assistant Commissioner that too without issuing notice to the petitioners. Moreover, merely because the Thasildar, contends that original grant records are not available to show the entry of the name of the original grantees in the revenue records, it does not vest power with the Thasildar, or Assistant Commissioner to invoke Section 136(2) of the Act to delete the names of the petitioners from the RTCs/Revenue records and to enter the name of the Government. It is submitted that, if



such powers, if at all relatable to Section 136(3) of the Act, which empowers the Deputy Commissioner, who may, on his own motion or on application filed by the party, call for and examine any records made under Section 127 and Section 129 of the Act and pass such orders as he may deem fit, provided that no order shall be passed except after hearing the party, who would be adversely effected by such orders. No such *suo-motu* powers are vested with the Assistant Commissioner under Section 136(2) of the Act.

6. Learned counsel appearing for the petitioners further submits that in respect of the powers exercisable by the Deputy Commissioner under Section 136(3) of the Act, this court has consistently held that such powers cannot be invoked as and when liked by the Deputy Commissioner. The power to cancel a grant or to take action to remove the names from the revenue records, which have been maintained for decades together, though permissible, such action is required to be taken within



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reasonable time. In support of this contention, reliance is placed on the judgment of this Court in **Smt. Pyari Ma and Others vs. State of Karnataka and Others**, in **W.P.No.22426 of 2021**, disposed of on **12.01.2022**.

7. Per contra, learned High Court Government Pleader appearing for the respondent-State, pointing out the impugned orders, submits that one of the parties before this court, has filed objections before the Assistant Commissioner, which means opportunity of hearing was given to the petitioners.

8. Having heard learned counsel appearing for the petitioners and learned High Court Government Pleader and on perusing the writ papers, this court is of the considered opinion that, Assistant Commissioner has no authority in law to have considered such appeals filed at the instance of Thasildar, under Section 136(2) of the Act. As rightly pointed out by the learned counsel appearing for the petitioners, *suo-motu* powers as found under Section



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136(3) of the Act is exercisable only by the Deputy Commissioner and not by the Assistant Commissioner. Learned counsel appearing for the petitioners are also right in their submissions that the material available on record, clearly show that mutation entries have been maintained in the revenue records for more than five decades. Such being the case, it does not empower the revenue authorities including Deputy Commissioner to invoke *suo-motu* powers exercisable under Section 136(3) of the Act to set at naught the revenue entries which are maintained in the revenue records for decades. Unless appropriate action is taken in accordance with law to cancel the grant made or to consider the fact that entries are made in the revenue records without any basis and the competent authority considers the claim of both the sides, such orders cannot be passed to set at naught long-standing entries in the revenue records i.e. more than five decades.



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9. Consequently, the writ petitions are ***allowed***, setting aside the impugned orders at Annexure-A in all the three writ petitions. The concerned Tahsildar is directed to restore the revenue entries as they stood prior to the passing of the impugned orders. The said Action shall be taken as expeditiously as possible and at any rate, within four weeks from the date of receipt of certified copy of this order to restore the names in the revenue records.

SD/-
(R DEVDAS)
JUDGE

SB
List No.: 1 Sl No.: 19