



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO. 1570 OF 2025 (KLR-RES)

BETWEEN:

1. STATE OF KARNATAKA,
REP. BY ITS REVENUE SECRETARY,
VIDHANA SOUDHA,
BENGALURU - 560 001.
2. THE TAHSILDAR,
BANGALORE SOUTH TALUK,
K.G.ROAD,
BENGALURU - 560 001.
3. THE ASSISTANT COMMISSIONER,
BANGALORE SOUTH SUB-DIVISION,
BENGALURU - 560 009.

...APPELLANTS

(BY SRI. B. RAVINDRANATH, AGA)

AND:

1. SRI. MUNINARASAPPA,
AGED ABOUT 67 YEARS,
S/O LATE NARASIMHAIAH,
2. SRI. CHANDRAPPA,
AGED ABOUT 57 YEARS,
S/O LATE NARASIMHAIAH,
R/O. KERECHOODANAHALLI,
UTTARAHALLI HOBLI,
BENGALURU SOUTH TALUK,
BENGALURU,



REP. BY THEIR GPA HOLDER
SRI. M. NARAYANAPPA,
AGED ABOUT 64 YEARS,
S/O LATE MADAPPA,
R/O NO. 7, 1ST MAIN,
Kengeri Satellite Town,
Bengaluru - 560 060.

3. SRI. NARASIMHAMURTHY,
AGED ABOUT 51 YEARS,
S/O LATE CHANNAPPA,
R/O ANCHIPURA VILLAGE,
BIDADI HOBLI,
RAMANAGARA TALUK
AND DISTRICT - 562 109.
4. SMT. MUNINARASAMMA,
AGED ABOUT 59 YEARS,
W/O M. NARAYANAPPA,,
R/O BASAVANNA TEMPLE ROAD,
DODDABELE VILLAGE,
Kengeri Hobli,
Bengaluru - 560 060.
5. SMT. JAYALAKSHMAMMA,
AGED ABOUT 66 YEARS,
W/O LAKKAPPA.
R/O BASAVANNA TEMPLE ROAD,
DODDABELE VILLAGE,
Kengeri Hobli,
Bengaluru -560 060.
6. SRI. T.J. ABRAHAM,
AGED ABOUT 55 YEARS,
R/O 2326, 3RD CROSS,
16TH B MAIN, HAL 2ND BLOCK,
INDIRANAGARA,
Bengaluru - 560 038.

...RESPONDENTS

(BY SRI. G. KRISHNAMURTHY, SR. ADVOATE FOR
SRI. BHUVAN K.P., ADVOCATE)



THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, PRAYING TO ALLOW THIS APPEAL AND SET ASIDE THE IMPUGNED ORDER DATED:21.09.2023 PASSED BY THE LEARNED SINGLE JUDGE OF THE HON'BLE COURT IN WP No.49738/2016 (KLR-RES) IN THE ENDS OF JUSTICE AND EQUITY.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present intra Court appeal has been filed impugning the judgment dated 21.09.2023 passed in W.P.No.49738/2016 by the respondents, wherein they have challenged the order dated 03.08.2016 passed by the Assistant Commissioner, Bengaluru South Sub-Division, Bengaluru, in case No.LND.RA(S)07/2016-17 in respect of the land in Sy.No.7/5, situated at Doddabele Village, Kengeri Hobli, Bengaluru South Taluk. The Assistant Commissioner has directed the Tahsildar,



Bengaluru South Taluk, to initiate proceedings under Section 67(2) of the Land Revenue Act, 1964, to claim the title of the Government land and take steps to correct the revenue records in the name of the Government.

2. The respondents have got the decree by the competent Civil Court in O.S.No.715/1996 c/w O.S.No.716/1996, after the matter was remanded by this Court in RSA.No.18/2010 and 21/2010. Initially, the respondents' civil suit got dismissed, first appeal got dismissed, however, in regular second appeals, the suit was remanded back with liberty to the parties to adduce further evidence. It appears the respondents have produced some documentary evidence on the basis of which judgment and decree dated 01.04.2016 came to be passed.

3. Considering the fact that there is already judgment and decree in favour of the respondents by the competent Court, the learned Single Judge vide impugned



judgment and order has set aside the order passed by the Assistant Commissioner and has allowed the writ petition, inasmuch as the judgment and decree passed by the competent Civil Court would be binding on the revenue authorities. The revenue authority cannot take a different view than the one taken by the competent Civil Court.

4. Mr.B.Ravindranath, learned Additional Government Advocate appearing for the appellant-State has submitted that judgment and decree is based on forged and fraudulent documents/evidence adduced by the respondents/plaintiffs. We are not commenting or giving any opinion regarding the fraud, however, this can be a ground available to the State, if the State files appeal against the judgment and decree dated 01.04.2016 passed by the competent Court in O.S.No.715/1996 and O.S.No.716/1996.

5. As of today there exists judgment and decree passed by the competent Court in favour of respondents.



The learned Single Judge has therefore rightly taken a view that the revenue authorities are not entitled to take contrary view than taken by the competent Court in respect of right, title and interest over the land of the respondents.

6. Mr.Ravindranath, learned Additional Government Advocate submits that the State is taking steps to challenge the judgment and decree dated 01.04.2016, by filing the first appeal before the competent Court. If the State has the remedy against the judgment and decree, they may take the recourse to such remedy, however, we refrain from making any observation either on fraud or limitation. We therefore, ***dispose of*** this appeal with liberty to the State to file appeal, if they are so advised, which shall be decided by the competent Court strictly in accordance with law.

7. From the above said facts, we condone the delay of 697 days in filing this appeal.



8. So far as filing of impleading application in I.A.2/2026 is concerned, in view of disposal of the appeal, the application I.A.No.2/2026 does not survive for consideration. We have been informed that they have filed R.A.No.41/2025 and R.A.No.42/2025 against the judgment and decree dated 01.04.2016 passed by the competent Civil Court in O.S.No.715/1996 and O.S.No.716/1996, they are at liberty to take up the pleadings, grounds of objections filed by them in their appeal. However, application I.A.No.2/2026 does not survive for consideration and therefore, the same is rejected.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

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