



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF JUNE, 2026

BEFORE

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

WRIT PETITION NO. 27689 OF 2023 (KLR-RES)

BETWEEN:

SRI. R. GOVINDA RAO,
S/O LATE RAM RAO, MAJOR,
R/AT SHIVANAHALLI VILLAGE,
JIGANI HOBLI, ANEKAL TALUK,
PRESENTLY R/AT No.160, 2ND CROSS,
KANTEERAVA NAGARA,
2ND BLOCK, BENGALURU-560 098.

...PETITIONER

(BY SRI K.N. NITISH, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY DEPARTMENT OF REVENUE
M.S. BUILDING,
DR. AMBEDKAR VEEDHI,
BANGALORE-560 001.
2. THE LAND TRIBUNAL,
ANEKAL TALUK, ANEKAL,
BANGALORE RURAL DISTRICT-562106.
3. ASSISTANT COMMISSIONER,
BANGALORE SOUTH SUB DIVISION,
BANGALORE-560 001.
4. SRI DASEGOWDA,
S/O THIMMEGOWDA,
R/AT SHIVANAHALLI VILLAGE,



JIGANI HOBLI, ANEKAL TALUK,
BANGALORE RURAL DISTRICT-562 106.

5. SRI NAGARAJU D.,
S/O DASEGOWDA,
AGED ABOUT 42 YEARS,
R/A JAIPURA DODDI VILLAGE,
RAGIHALLI POST, JIGANI HOBLI,
ANEKAL TALUK,
BENGALURU RURAL DISTRICT-562106.

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA FOR R1 -R3;
SRI H.S. RAMAMURTHY, ADVOCATE FOR R4 & R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTION OR SETTING ASIDE THE ORDER AT ANNEXURE-E DATED 07.10.1992 PASSED BY R2 IN LRF NO.61/1991-92 AND SETTING ASIDE THE ORDER AT ANNEXURE-H DATED 16.6.2023 PASSED BY R3 IN R.A (A) 290/2018-2019 AND ETC.

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

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

ORAL ORDER

In this writ petition, the petitioner has sought for setting aside the order dated 07.10.1992 in LRF No.61/1991-92 (Annexure-E) passed by respondent No.2 and the order dated 16.06.2023 in R.A. (A) 290/2018-2019 passed by respondent No.3 (Annexure-H).



2. The relevant facts for adjudication of this petition are that, the petitioner claims that the land in Sy.No.84 of Shivanahalli Village, Anekal Taluk, measuring 2 acres 12 guntas belongs to Rama Rao, the father of the petitioner and a copy of the register extract reflecting the name of Rama Rao is produced at Annexure-A. It is stated that the father of respondent No.4 has filed an application seeking registration of his name as an occupant of the land in question, which came to be dismissed by the respondent authorities as per Annexure-B. The report of the proceedings is produced at Annexure-C. Further, respondent No.4 herein has filed an application at Annexure-D before the competent authority under the provisions of the Karnataka Inams Abolition Act, 1977 and sought for the grant of aforementioned land.

3. It is stated that the petitioner and/or his father were not parties to the proceedings before Respondent No.2, without considering the fact that the petitioner and/or his father have to be heard in the matter being the land owners, has passed the impugned order at Annexure-E dated 07.10.1992 and issued the endorsement at Annexure-F. It is also stated that



the father of the petitioner died on 22.01.1998 (Annexure-G) and respondent No.2 has passed the impugned order at Annexure-E without affording an opportunity of hearing to the petitioner and hence, the present writ petition.

4. Learned counsel appearing for the petitioner contended that the impugned order at Annexure-E is passed without considering the earlier order passed at Annexure-B, wherein the application made by respondent No.4 was rejected and that apart, the petitioner herein was not made party to the proceedings and therefore, sought inference of this Court.

5. *Per contra*, learned counsel appearing for respondent Nos.4 and 5 substantiated his arguments based on the statement of objections and contended that the land in question does not belong to the father of the petitioner Rama Rao and therefore arraying them as parties to proceedings does not arise and sought for dismissal of the petition.

6. Learned Additional Government Advocate for respondent Nos.1 to 3 sought to justify the impugned order.



7. In the light of the submissions made by learned counsel for the parties, I have carefully considered the order at Annexure-B, wherein it is stated that the land bearing Sy.No.84 measuring 2 acres 12 guntas of Shivanahalli Village, Anekal Taluk, stands in the name of Rama Rao S/o Lakshmana Rao. It is also forthcoming from Annexure-B that the petitioner therein Thimma S/o Bisliah has deposed that the father of the petitioner Rama Rao has originally gifted the property to the father of respondent No.4.

8. Taking into consideration the order passed by the competent authority at Annexure-B, I am of the view that the said Rama Rao and/or his son-petitioner herein ought to have been arrayed as parties to the proceedings in LRF No.61/91-92. In that view of the matter, the impugned order at Annexure-E has been passed without hearing the owners of the land in question, i.e. Rama Rao and/or his son-petitioner and as such I find some force in the submissions made by learned counsel for the petitioner.



9. Accordingly, I pass the following order;

Order

- (i) The writ petition is ***allowed***.
- (ii) The order dated 07.10.1992 at Annexure-E in LRF No.61/1991-92 passed by respondent No.2 is set aside.
- (iii) Consequently, the order dated 16.06.2023 at Annexure-H in R.A. (A) No.290/2018-19 (Annexure-H) passed by respondent No.3 is set aside.
- (iv) The matter is remitted back to the Land Tribunal, Anekal Taluk, to consider the claim of the parties afresh, after affording an opportunity of hearing to the parties concerned and take a decision in the matter, in accordance with law, at the earliest.

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

MV
List No.: 1 Sl No.: 62