



CNR: KAHC010666752023

NC: 2026:KHC:46611
WP No. 28558 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

WRIT PETITION NO. 28558 OF 2023 (GM-R/C)

BETWEEN:

1. SRI GOWDARA HALAPPA
AGED ABOUT 77 YEARS,
S/O SANGAPPA

DELETED AS PER COURT ORDER DATED
28.08.2026

2. SRI. VEERABHDRAPPA
AGED ABOUT 72 YEARS,
S/O POOJARI, NINGAPPA

3. SRI. KALAPPA
AGED ABOUT 72 YEARS,
S/O NINGAPPA

4. SRI. G S RANGAPPA
AGED ABOUT 70 YEARS,
S/O SANGAPPA

5. SRI. RANGAPPA
AGED ABOUT 80 YEARS,
S/O CHITTAPPA

DELETED AS PER COURT ORDER DATED
28.08.2026

Digitally
signed by
SUMA B N
Location:
HIGH
COURT OF
KARNATAKA



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6. SRI. RAMALINGAPPA
AGED ABOUT 60 YEARS,
S/O AKKI RANGAPPA

ALL ARE R/AT CHITRAHALLI VILLAGE,
GOLLARAHATTI, TALYA HOBLI,
HOLALKERE TALUK
CHITRADURGA DISTRICT - 577 526.

...PETITIONERS

(BY SRI. SHANKARANARAYANA BHAT N.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY SECRETARY TO GOVERNMENT
REVENUE DEPARTMENT ,
M S BUILDING,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001.
2. THE COMMISSIONER FOR HINDU RELIGIOUS
AND CHARITABLE ENDOWMENTS IN
KARNATAKA
4TH FLOOR , SRI. MINTO ANJANEYA BHAVANA
ALOORU VENKATA RAO ROAD,
CHAMARAJAPET,
BENGLAURU - 560 018.
3. THE DEPUTY COMMISSIONER
CHITRADURGA DISTRICT,
CHITRADURGA - 577 501.
4. THE ASSISTANT COMMISSIONER
CHITRADURGA DISTRICT
CHITRADURGA - 577 501.



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5. THE TAHASILDAR
HOLALKERE TALUK
HOLALKERE
CHITRADURGA DISTRICT - 577 526.

...RESPONDENTS
(BY SRI.MAHANTESH SHETTAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE R-1 TO 5 AS THE CASE MAY BE TO IMPLEMENT AND ENFORCE THE ORDERS PASSED IN WP NO.16388/1979 DATED 19/07/1990 MARKED AS ANNEXURE-A AND JUDGMENT PASSED IN RFA NO. 417/2000 DATED 27/01/2004 MARKED AS ANNEXURE-B ALSO DIRECT THE RESPONDENTS COMPLY THE ORDER PASSED IN WP NO. 675/2019 DATED 06/09/2019 MARKED AS ANNEXURE-F WITHIN A SHORTEST POSSIBLE TIME FRAME IN ORDER TO RENDER JUSTICE TO THE PETITIONERS AND TO THEIR GOLLARA COMMUNITY AND THIS HONBLE COURT MAY BE PLEASED TO FURTHER GRANT THE PETITIONERS SUCH OTHER FURTHER RELIEFS AS DEEMED FIT IN THE FACTS AND CIRCUMSTANCES OF THE CASE AND ALLOW THIS WP WITH COSTS.

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



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CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

1. Petitioners are before this Court seeking following reliefs:

" Issue a Writ of Mandamus or any other writ, order or direction, directing the Respondents 1 to 5 as the case may be to implement and enforce the orders passed in W.P.No.16388/1979 dated 19.07.1990 marked as Annexure 'A' and Judgment passed in RFA No.417/2000 dated 27.01.2004 marked as Annexure 'B' also direct the Respondents comply the order passed in WP.No.675/2019 dated 6.9.2019 marked as Annexure 'F' within a shortest possible time frame in order to render justice to the Petitioners and to their Gollara community and this Hon'ble Court may be pleased to further grant the Petitioners such other further reliefs as deemed fit in the facts and circumstances of the case and allow this Writ Petition with costs."

2. The present petition pertains to Sri. Chitralingeshwara Swamy Temple, situated at Chitrahalli Village, Holalkere Taluk, Chitradurga District. It appears management of the said temple was taken over by the respondent-State, vide order dated 22.12.1976. The said order was challenged in a suit in O.S.No.1/1977, which was dismissed. As against which, a Regular First Appeal in RFA No.417/2000 was filed, which came to be allowed by the Co-ordinate Bench of this Court, vide judgment and decree dated 27.01.2004, holding that the Order dated



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22.12.1976 taking over the management was illegal and bad in law.

3. However, this Court had directed the Special Deputy Commissioner to hold enquiry afresh and to take action in accordance with law. In the meanwhile, petitioner No.1 herein had filed writ petition in W.P.No.16388/1979, which also came to be allowed by order dated 19.07.1990. Petitioner thereafter filed a writ petition in W.P.No.675/2019, seeking writ of mandamus directing the respondent-authorities to enforce and implement the orders passed in W.P.No.16388/1979 and RFA No.417/2000. Which was disposed of by the Co-ordinate Bench of this Court with the direction to the respondent-Authority to take action accordingly, vide Order dated 06.09.2019. Non consideration of the same has resulted in petitioners filing the present petition.
4. Learned counsel for the petitioners submits that though the order dated 22.12.1976, passed by the respondent-State taking over the management of the subject temple has been set aside and despite there being a clear



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direction by this Court on earlier occasion in its Order dated 19.07.1990 passed in W.P.No.16388/1979 to the effect that the respondent-State shall appoint Dharmadarshis only from the members belonging to "Gollar Community", the respondent-State is holding on to the management and control of the subject temple without they having any right to own the same.

5. He submits that the petitioners have no other options but to approach this Court seeking necessary directions to the respondent-State. Hence, the petition.
6. Learned AGA, on the other hand submits that the management of the subject temple had been taken over, in view of the allegations made regarding mismanagement of the subject temple. He submits that whether the subject temple is a notified institution or not needs to be ascertained. That if the subject temple is not a notified institution, the question of respondent-Authorities taking action would not arise.



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7. Nonetheless, he further submits that the matter will be looked into and appropriate orders in this regard will be passed.
8. Heard and perused the records.
9. The controversy whether or not the members belonging to "Gollar Community" are entitled for exclusive management, administration of the subject temple in question has been settled by this Court in its Order dated 19.07.1990 passed in W.P.No.16388/1979.
10. Further, order dated 22.12.1976 passed by the respondent-State taking over the management of the said institution on the purported allegations of mismanagement, has also been set at rest by judgment and decree passed in RFA No.417/2000 dated 27.01.2004.
11. What therefore requires the respondent-State and its authorities to consider is handing over of the management of the subject temple to the person concerned. Since the petitioners claim to be the



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members belonging to "Gollar Community", the direction issued by this Court vide order dated 27.01.2004 in RFA No.417/2000, shall be read only to that extent.

12. At this juncture, learned counsel for the petitioners vehemently submitted that the subject temple has not been notified.
13. However, contents of the Order dated 06.06.2022 produced at Annexure-H, issued by the respondent No.5- Tahsildar indicate that the subject temple has been notified as 'B' category temple.
14. In the aforesaid circumstances, following:

ORDER

(i) The respondent No.4- Assistant Commissioner shall hold an enquiry and identify whether the temple in question has been notified under the provisions of the Karnataka Hindu Religious Institutions and Charitable Endowments Act, 1997.

(ii) If it is not notified, respondent No.4-Assistant Commissioner, shall proceed to determine the



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question as to the claim being made by the petitioners for management and administration of the subject temple.

(iii) If there are no rival claimants, the respondent No.4-Assistant Commissioner shall hand over the management to the petitioner.

(iv) If the temple is not notified as claimed by the petitioner, even then the respondent No.4-Assistant Commissioner shall proceed to hand over the management of the subject temple to the petitioners.

(v) Respondent No.4- Assistant Commissioner shall ensure such handing over of the management of the subject temple shall be restricted only to the members belonging to the "Gollar Community" as held by this Court vide Order dated 19.07.1990.

(vi) Such order shall be passed within an outer limit of sixty (60) days from the date of receipt of



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certified copy of this order, inasmuch as, this matter is pending for over 36 years. Any delay/laxity in the matter will be viewed seriously and delay after sixty (60) days shall entail payment of cost of Rs.2,500/- per day payable personally by the respondent No.4-Assistant Commissioner to the petitioners till determination of the matter, besides action to be initiated for contempt of the order of this Court.

(vii) Petition is ***disposed of***, accordingly.

**SD/-
(M.G.S. KAMAL)
JUDGE**

RL
List No.: 1 Sl No.: 30