



CNR: KAHC010670312025

NC: 2026:KHC:54275
WP No. 31126 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 31126 OF 2025 (SC/ST)

BETWEEN:

1. SRI K V RAJASHEKARAI AH
S/O LATE K.V VEERABHADRA SHETTY,
AGED ABOUT 55 YEARS,
R/AT NO 50, SUBRAMANYA PURA MAIN ROAD,
MUNESHWARA NAGARA,
SUBRAMANYAPURA MAIN ROAD,
BENGALURU-560061
2. SMT. K.V. SHIVARUDRAMMA
W/O SRI. C.V. RAJU,
AGED ABOUT 52 YEARS,
R/AT NO 59, MUNESHWARA NAGARA,
SUBRAMANYAPURA MAIN ROAD,
BENGALURU-560061
3. SMT. K.V. SHIVARATHNA,
W/O. M.SUBHASH MUTTHU,
AGED ABOUT 48 YEARS,
R/AT NO 59, MUNESHWARA NAGARA,
W/O M. SUBHASH MUTTHU,
SUBRAMANYAPURA MAIN ROAD,
BENGALURU-560061

...PETITIONERS

(BY SRI. DHANUSH, ADVOCATE FOR
SRI. R.SRINIVASA GOWDA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF REVENUE,



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MS BUILDING, BENGALURU - 560 001.
REPRESENTED BY THE PRINCIPAL SECRETARY,

2. THE DEPUTY COMMISSIONER
BENGALURU URBAN DISTRICT
K G ROAD, BENGALURU-560 009
3. THE ASSISTANT COMMISSIONER
BENGALURU SOUTH SUB-DIVISION,
KANDAYA BHAVANA, K G ROAD,
BENGALURU -560 009
4. THE TAHSILDAR
BENGALURU SOUTH TALUK,
KANDAYA BHAVANA, K G ROAD,
BENGALURU -560 009
5. SHRI V. ANJANAPPA,
S/O LATE VENKATAPPA,
AGED ABOUT 64 YEARS,
R/AT NO.31, 2ND CROSS,
MAHESHWARINAGAR,
VADDARAPALYA NEAR GOVERNMENT SCHOOL
BENGALURU -560061.

...RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 TO R4;
SRI. VIVEK REDDY, SENIOR ADVOCATE FOR
SRI. GIRISH M.K., ADVOCATE FOR R5;
VIDE ORDER DATED 29.09.2026,
NOTICE TO R6 IS SERVED AND HELD SUFFICIENT)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.

THIS WRIT PETITION IS LISTED FOR ORDERS, THIS DAY,
AN ORDER IS MADE AS UNDER:



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ORAL ORDER

Sri.Dhanush, counsel on behalf of Sri.R.Srinivasa Gowda, for the petitioners, Smt.Savithramma, Additional Government Advocate for respondent No.1 to 4, Sri.Vivek Reddy, Senior counsel on behalf of Sri.Girish M.K, for respondent No.5 appeared in person.

2. The petition is filed seeking following reliefs:

WHEREFORE, the petitioners most respectfully pray that this Hon'ble Court may be pleased to:

a) Issue a writ in the nature of certiorari or any other appropriate writ order, or direction quashing the impugned order dated 15.05.2006 passed in Case No.KSC SC ST 13/2005-06 (Annexure -A) and Consequently, the order dated 08.07.2011 passed by the respondent No.2 in Revision Petition No.116/2006-07 (Annexure -H) being illegal, arbitrary, and violative of the principles of natural justice.

b) Issue a writ in the nature of certiorari or any other appropriate writ, order, or direction to



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quash the order dated 12.09.2025 passed by respondents No.2 in appeal Nos.71/2024, 72/2024 and 73/2024 (Annexure -J1 to J3)

c) Grant such other relief(s) as this Hon'ble Court deems fit and proper in the circumstances of the case in the interest of justice and equity."

3. Counsel for the respective parties advanced several contentions.

Counsel for the petitioners submits that the impugned orders were passed without observing the principles of natural justice. The petitioners were subjected to arbitrary action without any notice of the prohibition or intimation at the time of purchase. It is further submitted that respondent No. 5 has harassed the petitioners repeatedly, despite their being the rightful purchasers of the property under a lawful GPA and having paid the accepted market consideration.

It is argued that, despite the settlement and having received consideration, the fifth respondent has disturbed



the petitioners' peaceful possession by making threats and filing atrocity cases to prevent them from lawfully exercising their property rights, thereby violating their fundamental rights through mala fide actions.

It has been contended that the Deputy Commissioner dismissed the appeals on the ground of res judicata arising from an earlier revision petition. The petitioners were not parties to that petition and were unaware of the earlier PTCL order. It is submitted that the D C has no jurisdiction to pass the order.

Advancing further contentions, it is argued that the impugned orders are contrary to the law laid down by the Court's in the following decisions;

1. Muniraju M v. State of Karnataka, in 2022 (1) KCCR 491.
2. Munnaiah and others v. State (W.P. No. 60483/2014, dated 05.07.2021).
3. C.A. No. 1390/2009 (dated 26.10.2017), C.A. Nos. 2976-2983/2019 (dated 30.04.2019).



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4. Mamta Mohtani reported in (2011) 3 SCC 436.

Accordingly, it is prayed that the petition be allowed.

Conversely, Senior Counsel appearing for respondent No. 5 submits that the Deputy Commissioner dismissed the revision by order dated 08.07.2011. The appeal/ revision was later filed again before the Deputy Commissioner on the same subject matter. Having noted the earlier dismissal, the Deputy Commissioner was justified in holding that the earlier order had attained finality and operated as res judicata, and in rejecting the subsequent appeal/ revision. Accordingly, Senior Counsel submits that there are no grounds to interfere with the impugned order and that the writ petition is devoid of merit and liable to be dismissed.

4. Heard the arguments and perused the papers carefully.



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5. The issue is narrow in scope and concerns the later appeal filed by the first petitioner and its maintainability.

It is sufficient to note that Smt. Puttamma and Sri V. Anjanappa (Respondent No. 5) filed a case against Sri K. Kumar before the Assistant Commissioner. The Assistant Commissioner passed an order dated 15.05.2006, which Sri K. Kumar appealed to the Deputy Commissioner. By order dated 08.07.2011, the Deputy Commissioner dismissed the appeal.

The records show that the petitioners, claiming to be purchasers, later filed another appeal with the Deputy Commissioner, challenging the Assistant Commissioner's orders. The Deputy Commissioner dismissed the appeal as barred by res judicata.

In this Court's view, the Deputy Commissioner was justified in dismissing the subsequent appeal because the earlier order had attained finality. A subsequent appeal



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challenging the same Assistant Commissioner's order, already adjudicated by the Deputy Commissioner, was therefore not maintainable and was barred by res judicata.

Furthermore, the Assistant Commissioner passed an order in 2006, and the Deputy Commissioner passed order in 2011. The petitioners challenged these orders by filing a writ petition in 2025, after a lapse of nineteen years.

This Court finds no ground to interfere with the Deputy Commissioner's order. Accordingly, the writ petition, being devoid of merit, stands ***dismissed***.

In view of the dismissal of the writ petition, the interim order, if any, stands discharged. Pending interlocutory applications, if any, stand disposed of accordingly.

**SD/-
(JYOTI M)
JUDGE**

AG
List No.: 1 Sl No.: 30.1