



CNR: KAHC010684022025

NC: 2026:KHC:50602
WP No. 31757 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF SEPTEMBER, 2026

BEFORE

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

WRIT PETITION NO.31757 OF 2025 (KLR-RR/SUR)

BETWEEN:

1. M/S VASCO CONTRUCTIONS
A PARTNERSHIP FIRM NO.301 SUNSHINE
HARIPADAVAU YEYYADI,
MANGALORE - 575008
BY ITS PARTNER.
2. MR. ARUN MENDES
S/O LATE BASIL MENDES,
AGED ABOUT 49 YEARS
MENDES VILLA, POST TACCODE,
MOODABIDRI - 574 227
MANGALORE TALUK
DAKSHINA KANNADA.
REP BY GPA HOLDER
MR. SUNIL MENDES,
S/O LATE BSIL MENDES,
AGED ABOUT 51 YEARS,
MENDES VILLA, POST TACCODE,
MOODABIDRI - 574227
MANGALORE TALUK,
DAKSHINA KANNADA.

...PETITIONERS

(BY SRI. K CHANDRANATH ARIGA, ADVOCATE)

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Location: HIGH
COURT OF
KARNATAKA



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AND:

1. STATE OF KARNATAKA
BY ITS SECRETARY REVENUE DEPARTMENT,
VIKAS SOUDHA, DR. AMBEDKAR ROAD,
BENGALURU - 560001.
2. THE TAHSILDAR
ASSISTANT LAND RECORDS
MINI VIDHANA SOUDHA,
SUGAPPA LAYOUT EAST COLONY,
YELAHANKA, BENGALURU - 560054
BANGALORE NORTH TALUK.

...RESPONDENTS

(BY SRI. ADITYA DIWAKARA, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE RESPONDENT NO.2 TO CONDUCT THE PHODI IN SY. NO.76 OF CHIKKAJALA VILLAGE JALA HOBLI BANGALORE NORTH TALUK.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

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

ORAL ORDER

In this writ petition, the petitioners have sought a direction to the respondent-authorities to conduct phodi in respect of the land bearing Sy. No. 76 of Chikkajala Village, Jala Hobli, Bengaluru North Taluk,



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and also for consideration of the representation produced at Annexure-F and G, inter alia, seeking such other reliefs.

2. Heard Sri. K. Chandrakanth Ariga, learned counsel appearing for the petitioners and Sri. Aditya Diwakar, learned Additional Government Advocate appearing for the respondent-State.

3. The learned counsel appearing for the petitioners contended that the petitioners had acquired the land in question under a registered Sale Deeds dated 15.03.2007 and 12.09.2007 respectively. It is further contended that the land in question was originally granted in favour of the vendor of the petitioners, namely, C. Nanjundayya.

4. It is further contended by the learned counsel appearing for the petitioners that proceedings



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under Section 136(3) of the Karnataka Land Revenue Act, 1964, were initiated against the original grantee, which came to be dropped by order dated 18.11.2020. Therefore, there is no impediment for the respondent-authorities to conduct phodi in respect of the land in question.

5. It is further contended by the learned counsel appearing for the petitioners, by referring to the direction issued by this court on dated 24.11.2025, that the records had been summoned before this Court and that the Tahasildar, Yelahanka, has submitted that the Darkhast Register pertaining to the original grantee is available. Therefore, it is contended that there is no impediment for the respondent-authorities to conduct phodi in respect of the land in question.



6. Per contra, the learned Additional Government Advocate appearing for the respondent-State has filed an affidavit of the Tahasildar, Yelahanka Taluk, wherein it is submitted that the proceedings conducted by the Special Deputy Commissioner-I, Bengaluru North Sub-Division, were without jurisdiction, as the said authority had no competency to initiate proceedings under Section 136(3) of the Karnataka Land Revenue Act, 1964. Accordingly, he submitted that the writ petition be dismissed.

7. In the light of the arguments advanced by the learned counsel appearing for the parties, it is not in dispute that petitioner No. 1 is a firm and petitioner No. 2 is a partner of petitioner No. 1-firm. Petitioner No. 1 purchased land measuring 2 acres in Sy. No. 76 under a registered Sale Deed dated 15.03.2007,



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produced at Annexure-A, and thereafter purchased another extent of 1 acre of land under a registered Sale Deed dated 12.09.2007, produced at Annexure-B. Therefore, it is not in dispute that the petitioners are the owners of the land in question bearing Sy. No. 76 of Chikkajala Village, Jala Hobli, Bangalore North Taluk.

8. It is also forthcoming from the writ papers that the Special Deputy Commissioner, Bengaluru, had sought to delete the name of the petitioners from the revenue records. The said order was challenged before this Court in W.P. No. 1953/2014. This Court, by order dated 12.03.2015, allowed the writ petition and set aside the order passed by the Special Deputy Commissioner and remitted the matter to the Special Deputy Commissioner for conducting a fresh enquiry in respect of the land in question.



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9. Pursuant to the same, the Special Deputy Commissioner-I, by order dated 18.11.2020, produced at Annexure-D, dropped the proceedings initiated against the erstwhile owners of the land in question under Section 136(3) of the said Act.

10. Perusal of the order sheet in this writ petition would indicate that, this Court, by order dated 24.11.2025, had summoned the Tahsildar, Yelahanka, to produce the original grant records. The same were produced before this Court. Accordingly, the Tahasildar, Yelahanka, was directed to verify the Saguvali Chit Issue Register and thereafter, take a decision in the matter.

11. It is also to be noted that the petitioners were directed to appear before the Tahasildar on 17.11.2025 and furnish the relevant documents for



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verification with the original records available in the said office, and the said process has been completed.

12. In view of the fact that the proceedings initiated against the erstwhile owners of the land in question had been dropped pursuant to the order dated 18.11.2020, and the Tahasildar, Yelahanka, was directed to delete the name of the Government in respect of the land in question and enter the name of respondent No.3 therein, who was the erstwhile vendor of the petitioners, the necessary mutation entry, namely M.R. No. T30, was effected on 18.11.2020, as per Annexure-E.

13. In view of the above, taking into consideration the fact that the suo-motu proceedings initiated against the erstwhile owners of the land in question had been dropped as per the order at Annexure-D, and having regard to the contentions



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advanced by the learned counsel appearing for the petitioners, the contention of the learned Additional Government Advocate cannot be accepted. Accordingly, I pass the following:

ORDER

- i. The writ petition is ***allowed***.
- ii. A writ of mandamus is issued to respondent No. 2-Tahasildar to conduct phodi in respect of the land bearing Sy. No. 76 of Chikkajala Village, Jala Hobli, Bengaluru North Taluk, within an outer limit of four months from the date of receipt of a certified copy of this order.

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

SB
List No.: 1 Sl No.: 10