



CNR: KAHC010714462025

NC: 2026:KHC:39970
WP No. 33310 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JULY, 2026

BEFORE

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

WRIT PETITION NO.33310 OF 2025 (KLR-RES)

BETWEEN:

1. SRI. HANUMAIAH
S/O. LATE MUNISWAMAPPA,
AGED ABOUT 65 YEARS,
KACHARAKANAHALLI VILLAGE,
ST. THOMAS TOWN POST,
HENNUR MAIN ROAD,
BENGALURU - 560 084.
2. SMT. ANJINAMMA,
W/O. MUNI ANJANAPPA,
AGED ABOUT 75 YEARS,
R/AT VISHWANATHPURA VILLAGE,
KUNDANA HOBLI,
DEVANAHALLI TALUK,
BENGALURU RURAL DISTRICT-562 110.
3. M/S. ARYAN SURYA PROPERTIES,
REPRESENTED BY ITS
PROPRIETAR
KAVITA N.,
W/O. KUMAR H.,
AGED ABOUT 37 YEARS,
R/AT NO. 213, NEAR CHANNAKESHWI TEMPLE,
KACHARAKANAHALLI VILLAGE,

Digitally signed by
CHAYA S A
Location: HIGH
COURT OF
KARNATAKA



CNR: KAHC010714462025

NC: 2026:KHC:39970
WP No. 33310 of 2025

ST. THOMAS TOWN POST,
HENNUR MAIN ROAD,
BENGALURU - 560 084.

4. SRI. NARAYANASWAMY D.,
S/O. LATE DODDAVANAPPA,
AGED ABOUT 62 YEARS,
R/AT WARD NO. 1, PRASANNAHALLI,
DEVANHALLI TOWN,
BENGALURU RURAL DISTRICT - 562 110.

...PETITIONERS

(BY SRI. SANGAMESH R.B., ADVOCATE)

AND:

1. STATE OF KARNATAKA
DEPARTMENT OF REVENUE
BY ITS SECRETARY,
M.S. BUILDING,
BENGALURU - 560 001.
2. REGIONAL JOINT DIRECTOR,
OF THE LAND RECORDS,
BENGALURU DIVISION,
K.R. CIRCLE,
BENGALURU - 560 001.
3. DEPUTY DIRECTOR OF LAND RECORDS,
DEPUTY COMMISSIONER OFFICE,
CHAPARADAKALLU, (BIRASANDRA)
DEVANAHALLI TALUK
BENGALURU RURAL DISTRICT,
BENGALURU - 562 110.



CNR: KAHC010714462025

NC: 2026:KHC:39970
WP No. 33310 of 2025

4. ASSISTANT DIRECTOR OF LAND RECORDS,
DEVANAHALLI TALUK OFFICE,
BENGALURU RURAL DISTRICT,
BENGALURU - 562 110.
5. THE TAHSILDAR,
DEVANAHALLI TALUK,
DEVANAHALLI - 562 110.
6. TALUK SURVEYOR,
DEVANAHALLI TALUK,
BENGLURU RURAL DISTRICT,
BENGALURU - 562 110.
7. SRI. SONAPPA,
S/O. LATE MUNISWAMAPPA,
AGED ABOUT 61 YEARS,
R/AT VIWANATHPURA VILLAGE,
KUNDANA HOBLI,
DEVANAHALLI TALUK,
BENGLURU RURAL - 562 110.

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE N., HCGP FOR R1 TO R6;
SRI. B. RAMESH, ADVOCATE FOR R7)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE IMPUGNED ORDER DATED 08.10.2025 PASSED BY
THE RESPONDENT NO.2 IN CASE NO. PRA. BHU. JAM. NI/(BNG-
GRA) REVISION-10/2025-26(ANNEXURE-A).



CNR: KAHC010714462025

NC: 2026:KHC:39970
WP No. 33310 of 2025

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

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

CAV ORDER

1. In this Writ Petition, petitioners are assailing the order dated 08.10.2025 (Annexure-A) in case No.PRA.BHU.JAM.NI/(BNG-GRA)REVISION/10/2025-26, passed by respondent No.2.

2. Relevant facts for adjudication of this Writ Petition are that, petitioner Nos.1 and 2 were the erstwhile owners of the land bearing Sy.No.5, block No.7 (new Sy.No.31), situated at Gundlahalli Village, Devanhalli Taluk, Bangalore Rural district. Petitioner Nos.3 and 4 had purchased to an extent of 2 acres each from the petitioner Nos.1 and 2. It is stated in the Writ Petition that the land bearing Sy.No.5 of Gundlahalli village was granted to various persons including one S. Chandrappa, as per the Grant Order dated 16.11.1962 and issuance of saguvali chit dated 28.12.1962 (Annexure-B), to an extent of 4 acres in favour of Chandrappa. The revenue records



CNR: KAHC010714462025

was mutated in favour of the original grantee - S. Chandrappa. It is further contended that, said Chandrappa had sold the entire extent of 4 acres to one Munishamappa (father of the petitioner Nos.1 and 2) as per registered Sale Deed dated 07.03.1967. Thereafter, registered partition deed dated 30.06.2007 (Annexure-C) was effected in the family of Munishamappa and as such, Block No.7 was allotted to the share of petitioner Nos.1 and 2. Thereafter, revenue entries mutated in favour of petitioner Nos.1 and 2 and further Phodi and durust was made by the competent authority and as such new Survey Number was assigned as Sy.No.31 and Sy. No.5/B-14-P2 as per the sketch prepared by the survey authorities. Thereafter, the petitioner Nos.1 and 2 have sold an extent of 2 acres each to petitioner Nos.3 and 4, as per registered Sale Deed dated 01.02.2023 (Annexure-D). Thereafter, the revenue records transferred in to the name of the petitioner Nos.3 and 4. It is also stated that, the petitioner No.3 had sold eastern portion to an extent of 2 acres in favour of petitioner No.4 as per the registered Sale Deed dated 27.05.2025 (Annexure-E) and revenue entries changed



CNR: KAHC010714462025

**NC: 2026:KHC:39970
WP No. 33310 of 2025**

accordingly. It is further stated in the Writ Petition that, the respondent No.7 herein had filed appeal before the respondent No.2 challenging the phodi and durust dated 03.08.2022 in respect of the subject land and it is the contention of the petitioners that, the respondent No.7 is neither a owner nor in possession of any portion of land in Sy.No.5, Block No.7. It is further stated that, the respondent No.7 has filed objection to the application filed by the petitioner No.4 before the respondent No.5 as to change of entries and the respondent No.5 by order dated 26.06.2025 (Annexure-F) passed an order to effect khata in favour of the petitioner No.4 herein.

3. It is also further stated in the Writ Petition that, the land claimed by respondent No.7 situate at Sy.No.5 Block No.9 as the said land was granted to Kalaiah, and as the legal representatives of the original grantee - Kalaiah had filed petition under Section 4(2) of the PTCL Act, before the Assistant Commissioner, Doddaballapura and same is pending consideration before the said authority. It is the case of the petitioners that the boundary mentioned in the schedule of the land belonging to respondent No.7 is admittedly different from



CNR: KAHC010714462025

the boundaries of the land belonging to the petitioner No.4 and therefore, it is pleaded that the respondent No.7 has no right and title in respect of the property in question. It is also the case of the petitioners that the respondent No.2, without considering the material on record and the survey of land in question had allowed the revision petition filed by the respondent No.7 erroneously on 08.10.2025 (Annexure-A) and being aggrieved by the same, the petitioners have presented this Writ Petition.

4. Heard Sri. Sangamesh R.B., learned counsel for the petitioners and Sri. Spoorthy Hegde N., learned High Court Government Pleader appearing for the respondent Nos.1 to 6, and Sri. B. Ramesh, learned counsel for the respondent No.7.

5. Sri. Sangamesh R.B., learned counsel for the petitioners contended that, the land claimed by respondent No.7 is falling in Sy.No.5, Block No.9 which was originally granted to an extent of 4 acres in favour of Kalaiah during 1961-62. Portion to an extent of 2 acres was gifted in favour of Muniyappa and another portion of 2 acres was sold in favour of Chikka Muniyappa. The land to an extent of 2 acres gifted in favour of



CNR: KAHC010714462025

**NC: 2026:KHC:39970
WP No. 33310 of 2025**

Muniyappa was purchased by Bachappa as per the registered Sale Deed dated 29.08.1975. It is further argued that, there was a partition in the joint family of Bachappa and thereby 2 acres of land was allotted to his younger brother Munishamappa, who in turn, sold in favour of respondent No.7. Therefore, it is the contention of the learned counsel for the petitioners that the land purchased by respondent No.7 trace to the portion of land belonging to Kalaiah. On the other hand, 2 acres which was originally granted to Kalaiah was sold in favour of Chikka Muniyappa was divided into two portions, wherein 1 acre each was sold in favour of Krishnappa and Krishnamurthy and it is argued that, the said Krishnamurthy is in possession of portion of land to an extent of 1 acre falling on southern side of the petitioners' land. Therefore, it is contended that, the land belonging to the petitioners located far away from the land belonging to respondent No.7 and accordingly, sought for interference of this Court.

6. Learned counsel for the petitioners contended that, the petitioners are in possession of 2 acres 14 guntas in new



CNR: KAHC010714462025

**NC: 2026:KHC:39970
WP No. 33310 of 2025**

Sy.No.31 and further argued that the remaining extent of 1 acre 26 guntas where respondent No.7 is claiming to be in possession. It is the categorical submission of the learned counsel for the petitioners that respondent No.7 has not produced any document to establish that, he is in possession of 1 acre 26 guntas in new Sy.No.31(old Sy.No.5, Block 7) and therefore, it is argued that, the impugned order passed by the respondent - authority based on the spot inspection report is unsupported by documents and as such, sought for interference of this Court.

7. Per contra, Sri. B. Ramesh, learned counsel appearing for the respondent No.7 contended that, the petitioners had behind the back of respondent No.7, colluded with the Survey Department and fixed the boundaries on the land which is in possession of the respondent No.7 and as such, the respondent No.7 had approached the respondent No.2 for rectification of the revenue documents. It is argued by the learned counsel for the respondent No.7 that, originally the land bearing Sy.No.5/9 to an extent of 4 acres was granted to Kalaiah, who in turn, gifted the said property to Muniyappa as per the Gift Deed



CNR: KAHC010714462025

dated 10.07.1972 (Annexure-R2) and thereafter, the said Muniyappa conveyed the property in favour of Bachappa as per the registered Sale Deed dated 29.08.1975 (Annexure-R3). He further contended that, the said Munishamappa and his children had sold the land to the respondent No.7 as per the registered Sale Deed dated 07.10.1993(Annexure-R4) and thereafter, the mutation entries made in favour of the respondent No.7.

8. It is further contended by the learned counsel for the respondent No.7 by referring to the phodi record at Annexure-R7 that the respondent No.7 is not in possession of the land belonging to the petitioners and the petitioners have suppressed the facts as to the registered Sale Deed dated 07.03.1967 executed by Chandrappa in favour of Munishamappa (father of petitioner No.1) in Sy.No.5 Block No.7 and therefore, sought for dismissal of the Writ Petition. It is also contended by the learned counsel for the respondent No.7 that, after the death of Munishamappa, petitioner Nos.2 and his children sold subject land in favour of one C.H. Ramachandra Rao and M.P. Prakash Kumar as per the registered Sale Deed at



CNR: KAHC010714462025

Annexure-R9 and R10 and therefore, sought for dismissal of the Writ Petition.

9. Sri. Spoorthy Hegde N., learned High Court Government Pleader appearing for respondent Nos.1 to 6, sought to justify the impugned order passed by the respondent - authority.

10. In the light of the submissions made by the learned counsel appearing for the parties, on careful consideration of the writ papers would indicate that the land bearing Sy.No.5 of Gundlahalli Village, Devanahalli Taluk is measuring to an extent of 95 acres and the revenue authorities have granted the land situate in Sy.No.5 in favour of the grantees during 1961-62. It is also forthcoming from the Writ Petition that land to an extent of 4 acres was granted in favour of S. Chandrappa as per the Grant Order dated 16.11.1962 and saguvali chit was issued on 28.12.1962 (Annexure-B). The said S. Chandrappa had sold subject land in favour of one Munishamappa, S/o Muninanjappa, as per the registered Sale Deed dated 07.03.1967 and as such, Munishamappa became the owner of the land bearing Sy.No.5, Block No.7, measuring 4 acres. The petitioner Nos.1 and 2 are the legal representatives of



**NC: 2026:KHC:39970
WP No. 33310 of 2025**

Munishamappa. It is also forthcoming that, a partition had effected among the wife and children of Munishamappa on 30.06.2007 (Annexure-C) and as such, land bearing Sy.No.5, Block No.7 of Gundlahalli Village was allotted to the share of petitioner Nos.1 and 2. Pursuant to the same, the revenue records stand in the name of the petitioners. Based on the application made by the petitioners seeking phodi and durust in respect of the land bearing Sy.No.5, Block No.7 of Gundlahalli Village, survey authorities have conducted phodi and durust by issuing notice to all the bajudars of the land in question and thereby, assigned new Survey Number as Sy.No.31 (old Sy.No.5) and Sy.No.5/B-14-P2. Thereafter, the petitioner Nos.1 and 2 had sold the land in question in favour of petitioner No.3 and as per the registered Sale Deed dated 01.02.2023 (Annexure-D). The petitioner No.3 had sold eastern portion of the property purchased by him to an extent of 2 acres in favour of petitioner No.4 as per the registered Sale Deed dated 27.05.2025 (Annexure-E) and accordingly, the revenue entries were changed in favour of petitioner Nos.3 and 4.



CNR: KAHC010714462025

NC: 2026:KHC:39970
WP No. 33310 of 2025

11. On the other hand, the respondent No.7 stated that, Kalaiah, S/o Munisannappa, one of the original grantees along with S. Chandrappa, had gifted the land in question in favour of Muniyappa, S/o Munishamappa on 10.07.1972 and the land was re-numbered as Sy.No.5/9 and said Muniyappa had sold the land in question in favour of one Bachappa as per the registered Sale Deed dated 29.08.1975. It is also forthcoming that, brother of Bachappa - Munishamappa had sold 2 acres out of 4 acres in land bearing Sy.No.5/9 to Sonnappa - respondent No.7 who said to be in possession of the land in question.

12. In the backdrop of these aspects, on careful consideration of the writ papers would indicate that respondent No.7 had challenged the phodi and durust made in favour of petitioner Nos.3 and 4 in LND.CR.14/2022-23 dated 03.08.2022 before the respondent No.2. Perusal of the Writ Petition and the title derived by the petitioners as well as the respondent No.7 would indicate that the respondent No.7 is not a bajudar of petitioner Nos.3 and 4. The said aspect has been admitted by the respondent No.7 before the respondent No.2 and therefore, as the respondent No.7 is in no way connected with the land



CNR: KAHC010714462025

NC: 2026:KHC:39970
WP No. 33310 of 2025

belonging to the petitioner Nos.3 and 4, and as such, the respondent No.2 ought to have dismissed the appeal preferred by the respondent No.7.

13. It is also forthcoming from the records that, both the petitioners and respondent No.7 claiming right over the property from two different grantees, namely S. Chandrappa and Kalaiah respectively. The said aspect of the matter was considered by respondent No.2 in the order which reads as under:

"ಅರ್ಜಿದಾರರು ಅಂತಿಮವಾಗಿ ಹೇಳುವುದೇನೆಂದರೆ 4 ಮತ್ತು 5 ನೇ ಎದುರುದಾರರು ಅರ್ಜಿದಾರರ ಸ್ವಾಧೀನದಲ್ಲಿರುವ ಜಮೀನಿಗೆ ಬಾಬುದಾರರು ಆಗಿರುವುದಿಲ್ಲ. ಹೀಗಿದ್ದರೂ ಸಹ 1 ರಿಂದ 3ನೇ ಎದುರುದಾರರು ಈ ಮೇಲ್ಕಾಣಿಸಿದ ಅಂಶಗಳನ್ನು ಕ್ರಮಬದ್ಧವಾಗಿ ಪರಿಶೀಲಿಸಿಕೊಳ್ಳದೇ ಸ್ವಾಧೀನಕ್ಕೆ ತದ್ವಿರುದ್ಧವಾಗಿ ಹಾಗೂ ನ್ಯಾಯತತ್ವಕ್ಕೆ ವಿರುದ್ಧವಾಗಿ ಸ.ನಂ.5 ರಲ್ಲಿ ಹೊಸ ಸರ್ವೆ ನಂಬರ್ 31 ಎಂಬುದಾಗಿ ಮಾಡಿರತಕ್ಕ ದುರಸ್ತಿಯನ್ನು ರದ್ದುಪಡಿಸುವ ಕುರಿತಂತೆ ಆದೇಶವನ್ನು ನೀಡಬೇಕೆಂದು ಕೋರಿಕೊಳ್ಳುತ್ತಿರುವುದಾಗಿ ಈ ಸಂಬಂಧ ಪೂರಕ ದಾಖಲಾತಿಗಳನ್ನು ಹಾಜರುಪಡಿಸುತ್ತಿರುವುದಾಗಿ ತಿಳಿಸಿರುತ್ತಾರೆ."

14. On careful consideration of the aforementioned finding recorded by respondent No.2, wherein, the respondent No.7 at no point of time became bajudar of the land belonging to the petitioners and therefore, the claim made by the



CNR: KAHC010714462025

NC: 2026:KHC:39970
WP No. 33310 of 2025

respondent No.7 is without any basis. In that view of the matter, the spot inspection, sketch prepared by the ADLR dated 03.08.2022 in proceedings No.LND/DPR/92/2022-23 is just and proper and as such, the respondent No.2 ought not to have interfered with the same. Hence, I pass the following:

ORDER

- (i) The Writ Petition is allowed.
- (ii) The order dated 08.10.2025 (Annexure-A) in case No. PRA.BHU.JAM.NI/(BNG-GRA)REVISION/10/2025-26, passed by respondent No.2, is hereby set aside and the Phodi and Durusth made in favour of the petitioners in proceedings No.LND/DPR/92/2022-23 is hereby confirmed.

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

sac
List No.: 1 Sl No.: 71