



CNR: KAHC010728882025

NC: 2026:KHC:46209
WP NO.33828 OF 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF AUGUST, 2026

BEFORE

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

WRIT PETITION NO.33828 OF 2025 (KLR-RES)

BETWEEN:

1. SMT. GANGAMMA
W/O LATE KAPANIAH,
AGED ABOUT 69 YEARS,
R/AT K. DODDERI VILLAGE,
MAYASANDRA HOBLI,
TURVEKERE TALUK,
TUMAKURU DISTRICT – 572 221.
2. SMT. GOWRAMMA
W/O LATE BORAIAH,
AGED ABOUT 69 YEARS,
R/AT K. DODDERI VILLAGE,
KANAKUR POST, MAYASANDRA HOBLI,
TURVEKERE TALUK,
TUMAKURU DISTRICT – 572 221.

ALSO RESIDING AT:
NO.1514, LAKSHMI VENKATESHWARA NILAYA,
2ND MAIN, VRUSHABAVATHINAGAR,
NEAR GANESHA TEMPLE,
KAMAKSHI PALYA,
BENGALURU – 560 079.

...PETITIONERS

(BY SRI. PUNITH C., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF REVENUE,
REP. BY ITS PRINCIPAL SECRETARY,

Digitally signed by
CHAYAS A
Location: HIGH
COURT OF
KARNATAKA



CNR: KAHC010728882025

M.S. BUILDING,
BENGALURU – 560 001.

2. THE DEPUTY COMMISSIONER
TUMAKURU DISTRICT,
TUMAKURU – 570 001.
3. THE ASSISTANT COMMISSIONER
TURVEKERE SUB-DIVISION,
TUMAKURU DISTRICT – 572 227.
4. THE TAHSILDAR
TURVEKERE TALUK,
TUMAKURU DISTRICT – 572 227.
5. THE DEPUTY TAHSILDAR
MAYASANDRA HOBLI,
TURVEKERE TALUK – 562 107.
6. THE REVENUE INSPECTOR
MAYASANDRA HOBLI,
TURVEKERE TALUK – 562 107.
7. SRI. KUMAR
S/O LATE LAKKANNA,
AGED ABOUT 40 YEARS,
R/AT KANAKUR VILLAGE,
MAYASANDRA HOBLI,
TURVEKERE TALUK,
TUMAKURU DISTRICT – 572 221.

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE N., HCGP FOR R1 TO R6;
SRI. NISHANTH A.V., ADVOCATE FOR R7)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO
QUASH THE ORDER DATED 03RD SEPTEMBER, 2025 PASSED BY
THE RESPONDENT NO.2 IN CASE NO.RP/213/2025 VIDE



CNR: KAHC010728882025

ANNEXURE-L; QUASH THE ORDER DATED 10TH JUNE, 2025
PASSED BY THE RESPONDENT NO.3 IN CASE NO.RA/356/2024
VIDE ANNEXURE-H; AND ETC.

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 petition, petitioners are challenging the order dated 03rd September, 2025 (Annexure-L) passed by the respondent No.2 in Case No.RP/213/2015 and order dated 10th June, 2025 (Annexure-H) passed by the respondent No.3 in Case No.RA/356/2024.

2. Heard Sri. Punith C., learned counsel appearing petitioners; Sri. Spoorthy Hegde N., learned High Court Government Pleader appearing for respondents 1 to 6; and Sri. Nishanth A.V., learned counsel appearing for the respondent No.7.

3. Sri. Punith C., learned counsel appearing for the petitioners submitted that the petitioners are absolute owners in possession and cultivation of the land bearing Survey No.34



CNR: KAHC010728882025

measuring 4 acres situate at K. Dodderi Village, Mayasandra Hobli, Turvekere Taluk. It is also submitted by learned counsel appearing for petitioners that the respondent No.7 herein is claiming right over the property in question based on the application filed in Form No.53. By referring to the earlier proceedings before the revenue authorities and the order dated 03rd December, 2024 (Annexure-M4) passed in Original Suit No.443/2023 on the file of the Civil Judge and JMFC., Turuvekere, learned counsel appearing for petitioners contended that the order dated 03rd December, 2024 passed in Original Suit No.443/2023 makes it clear that the petitioners are in possession of the property in question and same has been confirmed in the order dated 28th April, 2025 (Annexure-N) passed in M.A. No.1/2025 on the file of the Senior Civil Judge and JMFC., Turuvekere.

4. Learned counsel appearing for petitioner Sri. Punith C., while arguing the aspect relating to the ownership of the property in question, referred to the plaint in Original Suit No.55/2025 (Annexure-P) filed by the respondent No.7 herein before the Senior Civil Judge and JMFC., Turuvekere and



CNR: KAHC010728882025

contended that the respondent No.7 is yet to establish his right over the property in question in the pending suit. Accordingly, he sought for interference of this Court.

5. Per contra, Sri. Nisahanth A.V., learned counsel appearing for the respondent No.7 sought to justify the impugned orders passed by respondents 2 and 3 and submits that the application made by the respondent No.7 in Form No.53 is pending consideration before the competent Authority for regularisation of unauthorised cultivation in respect of the subject land. Accordingly, he sought for dismissal of the petition.

6. Sri. Spoorthy Hegde N., learned High Court Government Pleader appearing for respondents 1 to 6 sought to justify the impugned orders passed by respondents 2 and 3.

7. In the light of submission made by learned counsel appearing for the parties, on careful perusal of the impugned order dated 10th June, 2025 (Annexure-H) passed in Case No.RA/356/2024, it is forthcoming that the respondent No.3- Assistant Commissioner remitted the matter to the respondent



CNR: KAHC010728882025

**NC: 2026:KHC:46209
WP NO.33828 OF 2025**

No.4-Tahsildar to determine the right of the petitioners herein over the subject land and to take decision in the matter. In furtherance of the same, petitioners questioned the order of the respondent No.3-Assistant Commissioner before the respondent No.2 in Case No.RP/213/2025, wherein the respondent No.2-Deputy Commissioner, by order dated 03rd September, 2025 (Annexure-L), without issuing notice to the respondent No.7 herein, dismissed the revision petition preferred by the petitioners.

8. In the backdrop of these aspects, I have carefully considered the order dated 03rd December, 2024 (Annexure-M4) passed in Original Suit No.443/2023 on the file of the Civil Judge and JMFC., Turuvekere, wherein, interim protection has been given to the petitioners and thereafter, the said order of interim protection was confirmed by order dated 28th April, 2025 (Annexure-N) in M.A. No.1/2025 on the file of the Senior Civil Judge and JMFC., Turuvekere. In that view of the matter, taking into account the fact that the respondent No.7 filed Original Suit No.55/2025 before the Senior Civil Judge and JMFC., Turuvekere for the relief of declaration and same is



CNR: KAHC010728882025

pending consideration, so also, the application filed by the respondent No.7 in Form No.53 is pending consideration before the competent Authority for regularisation of unauthorised occupation in respect of the property in question, I am of the view that, interference is required to be made in this petition and impugned orders passed by the respondents 2 and 3 against the petitioners herein deserves to be quashed. Accordingly, I pass the following.

ORDER

- (i) Writ Petition ***allowed;***
- (ii) Order dated 03rd September, 2025 (Annexure-L) passed by the respondent No.2-Deputy Commissioner in Case No.RP/213/2025 and order dated 10th June, 2025 (Annexure-H) passed by the respondent No.3-Assistant Commissioner in Case No.RA/356/2024 are hereby set-aside;
- (iii) The respondent No.4-Tahsildar is directed to enter the name of petitioners in the revenue records pertaining to the property in question.



**NC: 2026:KHC:46209
WP NO.33828 OF 2025**

CNR: KAHC010728882025

- (iv) It is made clear that the entry of revenue records in favour of petitioners in respect of the property in question is subject to result of judgment and decree that may be passed by the competent Civil Court in Original Suit No.55/2025.

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

ARK
List No.: 1 Sl No.: 22