



CNR: KAHC010748872024

NC: 2026:KHC:42718
WP No. 35097 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF AUGUST, 2026

BEFORE

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

WRIT PETITION NO. 35097 OF 2024 (KVOA)

BETWEEN:

1. SRI. CHIKKAGUNDAPPA,
S/O LATE MARAPPA,
AGED ABOUT 60 YEARS,
2. SRI. DODDANANJUNDAPPA,
S/O LATE MARAPPA,
AGED ABOUT 58 YEARS,
3. SRI. ANJINAPPA,
S/O LATE MARAPPA,
AGED ABOUT 55 YEARS,
4. SRI. RAMANJINAPPA,
S/O LATE MARAPPA,
AGED ABOUT 52 YEARS,
5. SRI. CHIKKANANJUNDAPPA,
S/O LATE MARAPPA,
AGED ABOUT 50 YEARS,
6. SMT. NANJAMMA,
D/O LATE MARAPPA,
AGED ABOUT 50 YEARS,
7. SRI. MUNIANJINAPPA,

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by
ANNAPURNA G
Location: High
Court of
Karnataka



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S/O LATE A. THIRUMALAPPA,
AGED ABOUT 60 YEARS,

8. SMT. ANADAMMA,
D/O LATE A. THIRUMALAPPA,
AGED ABOUT 52 YEARS,
9. SRI. RAJANNA,
S/O LATE A. THIRUMALAPPA,
AGED ABOUT 50 YEARS,
10. SRI. GANGADHARA,
S/O LATE RATHNAMMA,
AGED ABOUT 35 YEARS,
11. SMT. ARUNA,
D/O LATE RATHNAMMA,
AGED ABOUT 32 YEARS,
12. SRI. DEVARAJU,
S/O LATE RATHNAMMA,
AGED ABOUT 29 YEARS,
13. SRI. MUNIMARAPPA,
S/O LATE CHIKKAMUNIYAPPA,
AGED ABOUT 75 YEARS,
14. SRI. RAJANNA,
S/O LATE MUNIANJINAPPA,
AGED ABOUT 52 YEARS,
15. SMT. MUTHAMMA,
W/O LATE GUNDAPPA,
AGED ABOUT 65 YEARS,



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16. SMT. ANANDAMMA,
D/O LATE GUNDAPPA,
AGED ABOUT 45 YEARS,
17. SRI. RAMANJINAPPA,
S/O LATE CHIKKAMUNIYAPPA,
AGED ABOUT 60 YEARS,
18. SRI. MUNIYAPPA,
S/O LATE CHIKKAMUNIYAPPA,
AGED ABOUT 55 YEARS,

ALL ARE RESIDENTS OF
LINGANAHALLI VILLAGE,
KASABA HOBLI - 561 203,
DODDABALLAPURA TALUK,
BENGALURU RURAL DISTRICT.
(PETITIONERS NO.1, 7, 13, 15 AND 17 ARE NOT
SEEKING BENEFITS OF SENIOR CITIZENSHIP)

REPRESENTED BY THEIR G.P.A. HOLDER
SRI. RAVIKUMAR R. S/O RUDRACHAR,
AGED ABOUT 51 YEARS,
R/AT NO.126, SATWIKI,
15TH CROSS, MAHALAKSHMI LAYOUT,
BENGALURU - 560 086.
(COPY OF GPA IS PRODUCED AT PAGE NO.37)

...PETITIONERS

(BY SRI. VARAPRASAD K., ADVOCATE)

AND:

1. THE ASSISTANT COMMISSIONER,
DODDABALLAPURA SUB-DIVISION,
DODDABALLAPURA - 561 203,



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BANGALORE RURAL DISTRICT.

2. THE TAHSILDAR,
DODDABALLAPURA TALUK,
DODDABALLAPURA - 561 203,
BANGALORE RURAL DISTRICT.
3. SMT. AKKAYAMMA,
W/O LATE MUNIANJINAPPA,
AGED ABOUT 59 YEARS,
4. SRI. ANJINAPPA,
S/O LATE THIMMAIAH,
AGED ABOUT 61 YEARS,
5. SMT. JAYAMMA,
W/O LATE HANUMANTHAPPA,
AGED ABOUT 50 YEARS,
6. SMT. ANJINAMMA,
D/O LATE HANUMANTHAPPA,
AGED ABOUT 66 YEARS,
7. SMT. ASHWATHAMMA,
D/O LATE HANUMANTHAPPA,
AGED ABOUT 61 YEARS,
8. SMT. RATHNAMMA,
D/O LATE HANUMANTHAPPA,
AGED ABOUT 56 YEARS,

RESPONDENTS NO.3 TO 8 ARE
R/O LINGANAHALLI (ANCHARAHALLI),
KASABA HOBLI - 561 203,



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DODDABALLAPURA TALUK,
BENGALURU RURAL DISTRICT.

9. SRI. GUNDAPPA,
S/O NANJUNDAPPA,
AGED ABOUT 76 YEARS,
R/O LINGANAHALLI,
KASABA HOBLI - 561 203,
DODDABALLAPURA TALUK,
BENGALURU RURAL DISTRICT.

...RESPONDENTS

(BY SRI.SRINIVAS KUMAR M., HCGP FOR R1 AND R2;
SRI.DINESH KUMAR K RAO, ADVOCATE FOR R3 - R8;
NOTICE TO R9 HELD SUFFICIENT VIDE ORDER DATED
28.02.2025)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER
DATED 10.12.2024 PASSED BY THE R-2 IN CASE NO.
HOA(CR)04/2024-25 VIDE ANNEX-F IN RESPECT OF THE
SCHEDULE PROPERTIES; DIRECT THE R-2 TO CONSIDER THE
APPLICATION DATED 10.12.2024 FILED BY THE PETITIONERS
UNDER ORDER I RULE 10(2) OF THE CODE OF CIVIL
PROCEDURE VIDE ANNEX-D IN ACCORDANCE WITH LAW AND
ETC.,

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

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

ORAL ORDER

1. Petitioners are before this Court being aggrieved by
the order dated 10.12.2024 passed by respondent No.2-
Tahsildar, in terms of which, he has rejected the



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application filed by the petitioners seeking impleadment in the proceedings in Case No. HOA/CR/04/2024-25 (Old No. VOA/69/1968-69). The reason assigned for rejection of the application is non-furnishing of genealogy by the petitioners.

2. Learned counsel for petitioners taking this Court through the records submits that the lands in Survey No.129 measuring 05 acres 14 guntas and Survey No.130 measuring 01 acre 39 guntas were attached to the office of Thalari and Neeraganti, Linganhalli Village, Kasaba Hobli, Doddaballapur Taluk. The holder of the said office was one Anugana Hanumantappa also known as Nanjunda, son of Thirumaliga alias Thirumalappa, who apparently had one son Gunda and who in turn had two sons namely, Thalavara Munithirumaliga also known as Munithirumaliga and Thimma also known as Thimmaiah. The petitioners are the decedents of the said holder of the office. In the earlier proceedings before the Assistant



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Commissioner, Doddaballapura Sub-Division, in Case No. VOA/DBP/69/1968-69, the aforesaid lands were granted jointly in the names of father of petitioner Nos.1 to 6 and father of petitioners No.7 to 9, along with others whose names are shown in the cause title of the said order as respondents. Things stood thus, the present respondents No.1 to 7 have yet again approached the Tahsildar alleging that in the earlier grant their names have been left out. The respondent No.2- Tahsildar has re-opened the said proceedings by assigning the new number HOA/CR/04/2024-25. It is under these circumstances, petitioners have filed an impleading application which has been rejected by the impugned order. Therefore, it is submitted that the order passed by the Tahsildar is unsustainable and seeks for quashing of the same.

3. Learned Additional Government Advocate for respondent Nos.1 and 2 ,on the other hand submits that as per the RTC extracts produced by the petitioners, the



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said lands are still shown as 'Talavara Saukari Inamthi and Kalavara Saukri Inamthi' and there is no reference with regard to grant made if any. Therefore, he submits that the very re-grant order made in favour of the petitioners required to be verified.

4. Learned counsel appearing for the private respondents, on a query by this Court as to whether the private respondents also claiming their lineage from a common ancestor, he answers the same in the affirmative. Thus, from the above facts and the submissions, what emanates is that by order dated 26.05.1972 produced at Annexure A, lands in Survey No.129 measuring 05 acres 14 guntas and in Survey No.130, measuring 01 acre 39 guntas of Linganahalli Village, Kasaba Hobli, Doddaballapura Taluk, which are purportedly attached to the Village Office of Talvari Inamti, appears to have been re-granted in favour of certain persons, namely, (1) Sri. Venkataramanappa; (2) Anjini; (3) Gunda;



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(4) Marappa; (5) Thirumalappa; (6) Chikamuniyappa and (7) Munianjinappa. Petitioners herein claim to be the descendants of Marappa and Thirumalappa.

5. The respondent No.2 -Tahasildar, ought not to have rejected the application of the petitioners merely for the reason of they non- production of the genealogy without providing them an opportunity regarding the same.

6. Another aspect of the matter to be seen is, there is no dispute between petitioners on the one hand and the private respondents on the other hand, of they being the descendants of common ancestors. The question of reopening the matter would also not arise, as the grant made in favour of one member of the family would enure to the benefit of other members of the family and the appropriate course of action for the members would be to seek partition before a Court of competent jurisdiction. This is, however, subject to parties admitting to they being



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the descendants of common ancestor. The Tahsildar shall keep this also in mind.

7. However, since learned Additional Government Advocate has raised serious doubt, with regard to the nature of land and to the very order of re-grant produced as Annexure-A, the Tahsildar shall verify the genuineness or otherwise of the said order.

8. With the above observation, petition is allowed. The impugned order dated 10.12.2024 is quashed. The respondent No.2-Tahsildar shall consider the application filed by the petitioners for impleading, keeping in mind the above observation made herein above and pass appropriate orders in accordance with law.

Sd/-
(M.G.S. KAMAL)
JUDGE

tsn*

List No.: 1 Sl No.: 46