



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 38860 OF 2025 (GM-ST/RN)

BETWEEN:

1. SMT. SHREELAKSHMI H Y
W/O LATE CHANDRASHEKHAR H.P
AGED ABOUT 64 YEARS,
RESIDING AT NO.D.BLOCK,
PARVATHI
NEAR 100 FEET RING ROAD,
GOPALA EXTENSION,
SHIMOGGA-577205
2. SRI DR. MALLIKARJUN G.P,
S/O PANDARANGA G.K
AGED ABOUT 43 YEARS,
RESIDING AT HOUSE NO. SITE NO.331,
LAL BAHADDUR SHASTRI NAGAR,
NAVULE, WARD NO.1,
SHIMOGGA CORPORATION.
SHIMOGGA-577203

...PETITIONERS

Digitally signed
by SHWETHA
RAGHAVENDRA

Location: HIGH
COURT OF
KARNATAKA

(BY SRI. GANAPATHI NAIK KANGOD.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY ITS PRINCIPAL SECRETARY,
CO-OPERATIVE DEPARTMENT,
VIDHANA SOUDHA,
BANGALORE-560001
2. THE ASSISTANT REGISTRAR O CO-OPERATIVE SOCITIES,
SHIMOGGA DIVISION,
BALARAJ URS ROAD,
SHIMOGGA-577201



3. PEARLITE LINERS EMPLOYEES AND ANCILLARY UNIT
HOUSE BUILDING CO-OPERATIVE SOCIETY LIMITED,
HAVING ITS REGISTERED OFFICE AT
G.R. AVENUE BUILDING,
1ST FLOOR. ROOM NO.01,
MAIN ROAD SHARAVATHI NAGAR,
SHIMOGGA-577201
BY ITS SECRETARY
(REGISTERED UNDER THE KARNATAKA
CO-OPERATIVE SOCIETY ACT 1959.)
4. SRI UMESH A S,
S/O SHREEKANTIAH A.H
PRESIDENT
PEARLITE LINERS EMPLOYEES AND ANCILLARY UNITS
HOUSE BUILDING CO-OPERATIVE SOCIETY LIMITED,
HAVING ITS REGISTERED OFFICE AT
G.R. AVENUE BUILDING,
1 FLOOR. ROOM NO.01,
MAIN ROAD SHARAVATHI NAGAR,
SHIMOGGA-577201
5. MOHAMMED MANSUR,
S/O MOHAMMED HUSSAIN,
AGED ABOUT 59 YEARS,
RESIDENT OF TIPPUNAGAR
3RD CROSS LEFT SIDE,
SHIMOGGA-577201
6. THE SENIOR SUB-REGISTRAR
SHIMOGGA DISTRICT
SHIMOGGA-577201.

...RESPONDENTS

(BY SRI. MOHAMMED JAFAR SHAH., AGA FOR R1, R2 & R6;
SRI. RAJENDRA S., ADVOCATE FOR R5;
SRI. S.V. PRAKASH., ADVOCATE FOR R3 & R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE
RESPONDENT NO.1 TO REGISTER THE SITE NO.331/A, SHIMOGGA
CORPORATION PROPERTY ID NO.4691/4691NI NO.331A MEASURING
32 PLUS 47/2 X 40 FEET TOTAL 146.78 SQ METER BOUNDED ON
WEST BY SITENO.316, WEST BY ROAD, NORTH BY SITE NO.331,
SOUTH BY ROAD INFAVOUR OF PETITIONER NO.2 AS PER THE
ORDER DATED 21-7-2005 PASSED BY THE HON'BLE HIGH COURT IN



W.P.NO.10258/2003 (CS-EL-M) UNDER ANNEXURE-B, BY ISSUING THE WRIT IN THE NATURE OF MANDAMUS, CONSEQUENTLY AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs:

- a. *Direct the respondent No.1 to register the site No.331/A, Shimogga Corporation Property ID No.4691/4691Ni No.331A measuring 32+47/2 X 40 feet Total 146.78 Sq Meter bounded on west by SiteNo.316, West by Road, North by Site No.331, South by Road infavour of petitioner No.2 as per the order dated 21-7-2005 passed by the Hon'ble High court in W.P.No.10258/2003 (CS-EL-M) under Annexure-B, by issuing the writ in the nature of mandamus, consequently.*
- b. *Quash the registered sale deed bearing No.SNG-1-09996-2023-24 dated 7-10-2023 under Annexure-G executed by the respondent No.3 and 4 infavour of respondent No.5 in the office of the Senior Sub-Registrar, Shimogga, since it is violation of the order dated 21-7-2005 passed by the Hon'ble High court in V.P.No.10258/2003 (CS-EL-M) by issuing writ in the nature of certiorari.*
- c. *Issue any orders or directions as this Hon'ble Court deems to fit under the facts and circumstances of the case and including cost the interest of justice and equity.*



2. Essentially, the relief sought by the petitioner in prayer (a) is one of specific performance, while prayer (b) seeks cancellation of the sale deed. Such reliefs cannot be granted in a writ petition.
3. Reserving liberty to the petitioner to avail appropriate remedies in appropriate forum. The petition stands ***disposed*** of.

SD/-
(SURAJ GOVINDARAJ)
JUDGE

SR
List No.: 1 Sl No.: 60