HC-KAR
NC: 2026:KHC:59411
WP No. 357 of 2026
CNR: KAHC010002212026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 357 OF 2026 (GM-ST/RN)

BETWEEN:

1. SRI. SURENDRA
S/O. LATE KEMPAIAH,
AGED ABOUT 49 YEARS,
NO. 54, JAYANAGAR 2ND STAGE,
1ST CROSS, BHAGAT SINGH ROAD,
HASSAN-570 002.

2. SRI. DARMAPAL. L
S/O. LATE L. LAKKAIAH,
AGED ABOUT 58 YEARS,
NO. 58, JAYANAGAR 2ND STAGE,
1ST CROSS, BHAGAT SINGH ROAD,
HASSAN-570 002.

3. SRI. K. CHIKKAIAH
S/O. LATE KADAIAH,
AGED ABOUT 70 YEARS,
NO. 66, JAYANAGAR 2ND STAGE,
1ST CROSS, BHAGAT SINGH ROAD,
HASSAN-570 002.

4. SRI. H. K. SHIVAKUMAR
S/O. KADRAPPA,
AGED ABOUT 66 YEARS,
NO. 2, JAYANAGAR 2ND STAGE,
1ST CROSS, BHAGAT SINGH ROAD,
HASSAN-570 002.

...PETITIONERS

(BY SRI. YASHWANT NETHAJI N T, ADVOCATE FOR
SRI. K V NARASIMHAN.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF REVENUE,
MULTI-STOREY BUILDING,
BANGALORE-560 001.

2. THE SUB-REGISTRAR
HASSAN,
HASSAN-573 201.

...RESPONDENTS

(BY SRI. HARISHA A S, AGA)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT, QUASHING IMPUGNED DOCUMENT SUMMARY REPORTS I.E., CANCELLATION RECORDED IN DOCUMENT NO. HSN-RULE-17(3)-00009-2025-26 DTD 15.06.2025 AT ANNX-C, DOCUMENT NO. HSN-RULE-17(3)-00002-2025-26 DTD 15.06.2025 AT ANNX-H, DOCUMENT NO. HSN-RULE-17(3)-00006-2025-26 DTD 15.06.2025 AT ANNX-M AND DOCUMENT NO. HSN-RULE-17(3)-00013-2025-26 DTD 15.06.2025 AT ANNX-R ISSUED BY R-2.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present writ petition is filed seeking for the following reliefs:

> *"A. Issue a writ in the nature of certiorari or any other appropriate writ or direction, quashing impugned "Document Summary Reports", i.e., cancellation recorded in Document No. HSN-Rule-17(3)-00009-2025-26 dated 15.06.2025 at Annexure-C, Document No. HSN-Rule- 17(3)-00002-2025-26 dated 15.06.2025 at Annexure-H, Document No. HSN-Rule-17(3)-00006-2025-26 dated 15.06.2025 at Annexure-M, and Document No. HSN-Rule-17(3)-00013-2025-26 dated 15.06.2025 at Annexure-R issued by respondent no.2*
>
> *B. Grant any other and further reliefs as this Hon'ble Court deems fit in the circumstances of the case, in the interest of justice and equity."*

2. The petitioners being aggrieved by the Document Summary Report dated 15.06.2025 (Annexures - C, H, M and R to the writ petition) have filed the present writ petition.

3. The relevant factual matrix in nutshell is that various persons were granted sites under the provisions of the Karnataka Land Grant Rules, 1969, vide Official Memorandum dated 20.09.1975 (Annexure -A to the writ petition). The said grants were made pursuant to lands being disposed for formation of Harijan Colony. The said grants were also subject

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to certain conditions as enumerated in the Official Memorandum dated 20.09.1975.

4. Pursuant to the land granted in favour of the respective grantees, the said sites which were granted were alienated by the allotees in favour of the petitioners. The said alienations were made vide registered Gift Deed dated 20.05.2009 (Annexure - E to the writ petition), Sale Deed dated 01.02.2006 (Annexure - J to the writ petition), Sale Deed dated 30.03.2005 and Rectification Deed dated 27.10.2007 (Annexures - N and P to the writ petition). Under the said documents, petitioner Nos.1 to 4 have acquired right title and interest in respect of site Nos.54, 58, 66 and 2 respectively. The impugned Document Summary Reports are in respect of the documents registered in favour of petitioner Nos.1 to 4 in respect of the said Site Nos.54, 58, 66 and 2.

5. It is the contention of the learned counsel for the petitioner that without any authority under law, the right, title and interest of the petitioners with respect to immovable property is sought to be taken over by virtue of the impugned

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Document Summary Reports whereunder it is stated that the documents registered in their favour have been cancelled.

6. Learned AGA justifying the impugned Document Summary Reports places reliance on Rule 17(iii) of the Karnataka Registration Rules, 1965[1]. The said Rule 17(iii) reads as under:-

> *"17. Supplement to Register Book No. 1 and File of Copies and Translation."*
>
> *XXXX*
>
> *(iii) A separate file shall also be opened for filing copies and translations presented under Sections 19 and 62 of the Act or under Rule 12(1). The copies and translations placed in this file shall be connected by a cross reference with the entry in the register."*

7. It is forthcoming from a perusal of Rule 17(iii) that the same is only for intimating the cancellation, modification or rectification of transactions of documents which have been previously filed or registered. The said Rule 17(iii) does not in any manner vest a substantive right on respondent No.2 to cancel a document that had been registered in terms of the Rules.

[1] Hereinafter it is referred to as 'Rules'

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8. Learned AGA vehemently contends that there is violation of the conditions of the grant, which have been made consequent to Official Memorandum dated 20.09.1975. It is contended that the sites having been granted under the said Official Memorandum dated 20.09.1975 and subject to the conditions therein, since the said conditions have been violated, the concerned authorities are justified in taking steps/measures for cancellation of the grant.

9. In this context, it is pertinent to note that there is no material placed on record to indicate that any notice has either been issued to the original grantees or to the petitioners who claim to have acquired right, title and interest in the sites in question consequent to registered documents executed in their favour. In the absence of the concerned authorities initiating any proceedings to cancel the grant made pursuant to the Official Memorandum dated 20.09.1975, the question of respondent No.2 interdicting the right, title and interest asserted by the petitioners in respect of the property acquired by them pursuant to the registered deeds executed in their favour does not arise. *Ex-facie* the Document Summary Report

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not having been preceded by any action initiated under law, the said impugned documents are liable to be quashed/set aside and the relief sought for in the present writ petition merits consideration.

10. In view of the aforementioned, the Document Summary Reports dated 15.06.2025 recording cancellation of document No.HSN-Rule-17(3)-00009-2025-26, (Annexure - C to the writ petition); document No. HSN-Rule-17(3)-00002-2025-26, (Annexure - H to the writ petition); document No.HSN-Rule-17(3)-00006-2025-26, (Annexure - M to the writ petition); document No. HSN-Rule-17(3)-00013-2025-26, (Annexure - R to the writ petition); issued by respondent No.2 are hereby quashed.

11. This order will not preclude the concerned authorities from initiating any action in accordance with the law, if violation of the conditions of the grant of the Official Memorandum dated 20.09.1975 is sought to be alleged. Needless to state that the action is to be initiated in accordance with law and any action initiated in that regard is to be done by notifying the concerned persons.

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12. All rights and contentions of the parties in that regard are kept open.

13. The writ petition is disposed of in the above mentioned terms.

14. Pending IAs., if any, stand disposed of.

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(C.M. POONACHA)
JUDGE

Vmb
List No.: 1 Sl No.: 19