HC-KAR

CNR: KAHC010014962015

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO.14121 OF 2015 (KLR-RES)

BETWEEN:

1. R. RAJANNA
S/O R. RUDRAPPA.
SINCE DECEASED, BY LRS.

1(a) SHANTHAMMA
W/O LATE RAJANNA,
AGED ABOUT 52 YEARS.

1(b). JAGADISH
S/O LATE RAJANNA,
AGED ABOUT 28 YEARS.

1(c). RASHMI
D/O LATE RAJANNA,
AGED ABOUT 20 YEARS.

ALL ARE RESIDING AT:
PARE HOSAHALLI VILLAGE,
HUTHUR HOBLI,
KOLAR DISTRICT – 563 101.

...PETITIONER

(BY SRI. N. NAGARAJA, ADVOCATE)

AND:

1. THE STATE REPT. BY
REVENUE SECRETARY,
GOVERNMENT OF KARNATAKA,

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

VIDHANA SOUDHA,
BENGALURU – 560 001.

2. THE DEPUTY COMMISSIONER
KOLAR DISTRICT,
KOLAR – 563 101.

3. RAJANNA
S/O NAGAPPA,
AGED ABOUT 50 YEARS,
PAREHOSAHALLI VILLAGE,
KOLAR TALUK,
KOLAR DISTRICT – 563 101.

…RESPONDENTS

(BY SRI. ADITYA DIWAKARA, AGA FOR R1 AND R2;
SRI. K.L. SHREENEVASA, ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER DATED 01ST OCTOBER, 2014 PASSED BY THE RESPONDENT NO.2-DEPUTY COMMISSIONER IN CASE NO.RA.17/2009-10 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 01st October, 2014 (Annexure-H) passed by the

respondent No.2-Deputy Commissioner in Case No.RA.17/2009-10.

2. Heard Sri. N. Nagaraja, learned counsel appearing for petitioners; Sri. Aditya Diwakara, learned Additional Government Advocate appearing for respondents 1 and 2; and Sri. K.L. Shreenevasa, learned counsel appearing for respondent No.3.

3. Having heard the learned counsel appearing for the parties and on perusal of writ petition, it is forthcoming that the original petitioner herein *viz.,* R. Rajanna S/o Rudrappa had questioned the MR.No.90/73-74 before the Assistant Commissioner, Kolar Sub-Division in Case No.R.A.130/1993-94, after the delay of more than two decades. Therefore, I am of the considered opinion that the petitioners herein shall establish their right over the property in question before the competent Civil Court. At this juncture, learned counsel appearing for the petitioners submits that the suit filed in respect of the property in question is pending consideration before the Civil Court. In that view of the matter, the prayer made in the writ petition cannot be accepted under Articles 226

and 227 of the Constitution of India. Accordingly, petitioners are permitted to establish their right over the property in question in the pending suit and thereafter approach the revenue authorities. With this observation, writ petition stands ***disposed of.***

SD/-
(E.S. INDIRESH)
JUDGE

ARK
List No.: 1 Sl No.: 11