HC-KAR

NC: 2026:KHC:63403
WP No. 1331 of 2024

CNR: KAHC010017412024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE T.P.VIVEKANANDA

WRIT PETITION NO. 1331 OF 2024 (GM-R/C)

BETWEEN:

KEMPAIAH @ BALAPPANAVARA KEMPAIAH
S/O LATE POOJARAIAH,
AGED ABOUT 68 YEARS,
ARCHAK AND AGRICULTURIST,
R/O SAGASANDRA VILLAGE,
NITTURU HOBLI,
ALALAGHGATTA POST,
GUBBI TALUK,
TUMKUR DISTRICT - 572 222

(PETITIONER IS NOT CLAIMING THE BENEFIT OF SENIOR CITIZENSHIP)

...PETITIONER

(BY SRI. YATISH KUMAR, ADVOCATE)

Digitally signed by PAVITHRA B
Location: HIGH COURT OF KARNATAKA

AND:

1. COMMISSIONER
HINDU RELIGIOUS CHARITABLE ENDOWNMENTS IN KARNATAKA
MALEMAHADESHWARA BUILDING,
CHAMARAJAPETE
BENGALURU - 560 004

2. TAHASILDAR AND TALUK MUZRAI OFFICER
GUBBI TALUK

TUMKUR DISTRICT - 572 223

3. REVENUE INSPECTOR
NITTURU HOBLI,
GUBBI TALUK,
TUMKUR DISTRICT - 572 223

4. NAGARAJAIAH
S/O LATE POOJARAIAH
AGED ABOUT 62 YEARS,
R/O SAGASANDRA VILLAGE,
NITTURU HOBLI,
ALALAGHGATTA POST,
GUBBI TLAUK,
TUMKUR DISTRICT - 572 222

…RESPONDENTS

(BY SRI. M. SRINIVAS KUMAR, HCGP FOR R1 TO R3
SRI. S. NAGARAJA, ADVOCATE FOR R4)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO-CALL FOR THE RECORDS AND PROCEEDINGS OF THE CASE QUASH THE MEMORANDUM BEARING NO.DVS.VIVA-49/2023-24 DTD 31.10.2023 ISSUED BY R2 TRUE COPY OF WHICH IS PRODUCED AS ANNEXURE-C ETC.

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

CORAM: HON'BLE MR. JUSTICE T.P.VIVEKANANDA

ORAL ORDER

The petitioner is before this Court calling in question the Official Memorandum dated 31.10.2023 at Annexure-C, whereby respondent No.2-Tahsildar has directed the appointment of the petitioner and respondent No.4 as hereditary Archakas to perform the rituals of the temple in question on a rotational basis. The said Official Memorandum was called in question by the petitioner by filing a revision petition before respondent No.1. Since respondent No.1 was not taking up the revision petition for consideration, particularly, for consideration of the interim relief sought therein, the instant writ petition was filed.

2. This Court granted an interim order on 22.01.2024, the same has been continued from time to time.

3. Learned counsel appearing for the petitioner submits that the revision petition filed by the petitioner has been dismissed for non-prosecution.

4. If the revision petition filed by the petitioner challenging the impugned Official Memorandum has been dismissed for non-prosecution, the remedy available to the petitioner is to seek the restoration of the revision petition and argue the main petition for consideration on merits.

5. The instant writ petition, which was filed seeking ad hoc interim protection, has now spent itself in light of subsequent development.

6. Accordingly, the instant writ petition is ***disposed of*** without interfering with the impugned Official Memorandum dated 31.10.2023 at Annexure-C.

7. If an application seeking revival of the revision petition is filed within 2 weeks from the date of receipt of certified copy of this order, respondent No.1 shall consider the same and pass appropriate orders in accordance with law. In the event the revision petition is revived, respondent No.1 shall consider and dispose of the main revision petition within a period of 3 months thereafter.

8. In view of disposal of the main petition, I.A.No.2/2024 does not survive for consideration.

Sd/-
(T.P.VIVEKANANDA)
JUDGE

SMC
List No.: 1 Sl No.: 13