HC-KAR
CNR: KAHC010031312026

NC: 2026:KHC:61979
WP No. 1381 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 1381 OF 2026 (LB-RES)

BETWEEN:

SMT B K SHYLAJA
W/O H.C. RAMU
AGED ABOUT 44 YEARS
R/AT I D S M T LAYOUT
HOSAPETE MAGADI TOWN
BENGALURU SOUTH DISTRICT - 562120.

...PETITIONER

(BY SRI. NITHIN R., ADVOCATE)

AND:

Digitally signed by VANAMALA N
Location: HIGH COURT OF KARNATAKA

1. THE STATE OF KARNATAKA
REPTED BY ITS SECRETARY
URBAN DEVELOPMENT
VIKASA SOUDHA
BENGALURU - 560001.

2. THE DIRECTOR
DIRECTORATE OF MUNICIPAL
ADMINISTRATION
VISHWESHWARAIAH TOWERS
AMBEDKHAR BEEDHI
BENGALURU - 560001.

3. THE DEPUTY COMMISSIONER
BENGALURU SOUTH DISTRICT
RAMANAGARA 562159.

4. THE COMMISSIONER
TOWN MUNICIPAL COUNCIL
MAGADI
BENGALURU SOUTH DISTRICT - 562120

...RESPONDENTS

(BY SRI.BOPANNA BILLEPPA., AGA FOR R1 TO R3;
SRI. Y.D. SHIVANSHANKAR., ADVOCATE FOR R4)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUION OF INDIA PRAYING TO A) QUASHING THE ORDER DATED 10-04-2000 BEARING NO. NA.E.HAS.99 PASSED BY THE 1ST RESPONDENT AT ANNEXURE-D AND INSOFAR AS IT RELATES TO THE PETITIONER AND THE SCHEDULE PROPERTY;B) DIRECTING THE 4TH RESPONDENT TO EFFECT THE E-KHATHA OF THE SCHEDULE PROPERTY IN FAVOUR OF THE PETITIONER TO THE SALE DEED DATED. 05.12.2011 AT ANNEXURE-A.

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

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

HC-KAR
CNR: KAHC010031312026

ORAL ORDER

The petitioner asserts ownership of property bearing No.111, Khaneshmari No.143/4732/ 111/5177, I.D.S.M.T. Layout, Thirumale Extension, Magadi, Bengaluru South Taluk [*the subject property*] and the petitioner also asserts the benefit of revenue entries for this property. The petitioner's grievance is with the Government Order dated 10.04.2000 [*Annexure-D*], and this order is for cancellation of the *Hakku Pathras* issued in favour of different persons and includes the decision to cancel the *Hakku Pathras* issued in favour of the petitioner's original predecessor-in-interest.

Sri Nithin R., the learned counsel for the petitioner, Sri. Y.D. Shivashankar, the learned counsel for the fourth respondent, and Sri Bopanna Belliappa, a learned Additional Government Advocate for the first to third respondents, are heard for the disposal of the petition in the light of these

circumstances. The petitioner and his predecessors-in-interest trace title to the subject property under Sri. K.R. Nagaraj who is admitted to the *Hakku Pathras* for the subject property. The *Hakku Pathra* in favour of Sri. K. R. Nagaraj is cancelled on the ground that he could not have been issued such *Hakku Pathras* because he already owned a property.

Sri. K.R. Nagaraj has transferred this property in the year 2006 and there are multiple transfers thereafter with the petitioner acquiring interest on 05.12.2011. This Court in multiple writ petitions has interfered with this order dated 10.04.2000 and there could be immediate reference to this Court's order dated 20.03.2024 in W.P.No.15943/2022 [LB-RES] connected with W.P.No.191702022 [LB-RES] where this Court has observed thus:

> *"If Sri R. Chandrashekar and the petitioner in W.P.No.19170/2022 were eligible for the allotment as of the year 1992 but have acquired assets later that cannot be*

> *a condition to disturb the grants. The first respondent must, even for initiation of the proceedings, consider all the circumstances including the status of the parties as of the date of allotment, and the impact on any right that could have accrued to the petitioners if there is initiation at this length of time. Hence, the second aspect is answered opining that the respondents must be at liberty to initiate action but after considering all the circumstances as aforesaid and due opportunity."*

This Court is of the view that the petition must be disposed of on similar terms as the other petitions are disposed of. Hence, the following:

ORDER

[A] The petition is allowed.

[B] The impugned order dated 10.04.2000 [*Annexure-D]* is quashed and the fourth respondent [*the Local Authority*] is directed to restore the *Khatha* in favour of the

petitioner for his respective property and also issue *e-Khatha* for the same.

[C] It is observed that this restoration and issuance of *e-Khatha* would be subject to the outcome of the proceedings that the first respondent can may initiate within a reasonable period of time.

Sd/-
(B M SHYAM PRASAD)
JUDGE

SA
Ct:sr