HC-KAR

NC: 2026:KHC:61269
WP NO.44339 OF 2016

CNR: KAHC010093322016

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 04TH DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO.44339 OF 2016 (KLR-RR/SUR)

BETWEEN:

1. MANJULA
   W/O SREENIVASA REDDY,
   AGED ABOUT 54 YEARS.

2. SUNITHA
   D/O SREENIVASA REDDY,
   AGED ABOUT 29 YEARS.

3. MANJUNATH
   S/O SREENIVASA REDDY,
   AGED ABOUT 26 YEARS.

   ALL ARE RESIDING AT:
   MYLASANDRA VILLAGE,
   BEGUR HOBLI,
   BENGALURU SOUTH TALUK,
   BENGALURU - 560 002.

...PETITIONERS

(BY SMT. SADHANA DESAI, ADVOCATE)

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

AND:

1. STATE OF KARNATAKA
   REP. BY ITS SECRETARY,
   REVENUE DEPARTMENT,
   M.S. BUILDING,
   BENGALURU - 560 001.

2. THE DEPUY COMMISSIONER
   BENGALURU DISTRICT,
   BENGALURU - 560 001.

3. THE ASSISTANT COMMISSIONER
BENGALURU SOUTH SUB-DIVISION,
BENGALURU - 560 001.

4. THE SPECIAL TAHSILDAR
BENGALURU SOUTH TALUK,
BENGALURU - 560 001.

5. P. LAKSHMI
W/O LATE KRISHNA REDDY
AGED ABOUT 53 YEARS.

6. K. SUMAN KUMAR
S/O LATE KRISHNA REDDY,
AGED ABOUT 33 YEARS.

7. K. SUMITHA
D/O LATE KRISHNA REDDY,
AGED ABOUT 29 YEARS.

RESPONDENTS 5 TO 7 ARE
R/AT MYLASANDRA VILLAGE,
BEGUR HOBLI,
BENGALURU SOUTH TALUK,
BENGALURU - 560 072.

…RESPONDENTS

(BY SRI. ADITYA DIWAKARA, AGA FOR R1 TO R4;
SRI. G. JANARDHANA, ADVOCATE FOR R5 TO R7)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER DATED 28TH DECEMBER, 2011 PASSED BY THE RESPONDENT NO.2-DEPUTY COMMISSIONER IN CASE NO.REVN.PETN.49/2009-10 VIDE ANNEXURE-A INSOFAR AS THE SCHEDULE LANDS ARE CONCERNED; AND ETC.

THIS PETITION COMING ON FOR HEARING, 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 28th December, 2011 (Annexure-A) passed by the respondent No.2-Deputy Commissioner in Case No.Revn.Petn.49/2009-10.

2. Heard Smt. Sadhana Desai, learned counsel appearing for petitioners; Sri. Aditya Diwakara, learned Additional Government Advocate appearing for respondents 1 to 4; and Sri. G. Janardhana, learned counsel appearing for respondents 5 to 7.

3. Smt. Sadhana Desai, learned counsel appearing for petitioners placed before this Court the judgment and decree dated 08th October, 2026 passed in R.A.No.132/2026 on the file of the Principal District and Sessions Judge, Bengaluru Rural District, Bengaluru and submitted that the judgment and decree dated 17th July, 2026 passed in

Original Suit No.1539/2008 on the file of the I Additional Senior Civil Judge, Bengaluru Rural District, Bengaluru in favour of respondents 5 to 7 in respect of the subject land was set-aside by the First Appellate Court.

4. In the light of submission made by learned counsel appearing for petitioners, on careful perusal of the judgment and decree dated 08th October, 2026 passed in R.A.No.132/2026 on the file of the Principal District and Sessions Judge, Bengaluru Rural District, Bengaluru, it is forthcoming that, the First Appellate Court had set-aside the judgment and decree passed by the Trial Court in favour of respondents 5 to 7 herein and declared that the petitioners herein were the owners of the schedule lands. On perusal of the judgment and decree dated 08th October, 2026 passed R.A.No.132/2026, it is also forthcoming that the First Appellate Court had held that the Sale Deeds dated 05th July, 2008, 20th October, 2008 and 25th June, 2014 executed in respect of the schedule lands are not binding on the petitioners herein. Therefore, I am of the view that the

impugned order passed by the respondent No.2 dated 28th December, 2011 (Annexure-A) in Case No.Revn.Petn.49/2009-10 against the petitioners herein is required to be set-aside in view of the fact that the competent Civil Court declaring the petitioners as absolute owners of the schedule lands. Accordingly, I pass the following:

O R D E R

(i) Writ Petition ***allowed;***

(ii) Order dated 28th December, 2011 (Annexure-A) passed by the respondent No.2-Deputy Commissioner in Case No.Revn.Petn.49/2009-10 is hereby set-aside;

(iii) The respondent No.4 is directed to mutate the name of petitioners in the revenue records in respect of the schedule lands in terms of the judgment and decree dated 08th October, 2026 passed in R.A.No.132/2026 on the file of the Principal District and Sessions Judge, Bengaluru Rural District, Bengaluru within an outer

limit of two months from the date of receipt of this order;

(iv) It is made clear that, mutating the name of petitioners in the revenue records in respect of the schedule lands, is subject to decision to be made by the Appellate Court in the second appeal, if any preferred by the respondents herein.

SD/-
(E.S.INDIRESH)
JUDGE

ARK
List No.: 1 Sl No.: 61