HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO. 261 OF 2025 (KLR-RES)

BETWEEN:

1. SMT.ARATHI KRISHNA
AGED ABOUT 56 YEARS,
W/O SRI G.M. KRISHNA,
RESIDING AT NO. 12023,
OAK 'B' BLOCK
GODREJ WOODSMAN ESTATE,
BELLARY ROAD, HEBBAL
BANGALORE-560024

2. G.M. KRISHNA,
AGED ABOUT 69 YEARS,
SON OF MARIGANGAIAH
RESIDING AT NO.641,
VALEMONT CT, LAS VEGAS
NV.89123, UNITED STATES

ALSO RESIDING AT B-31,
'B' BLOCK, THE SUMMIT, NO. 27,
SANKEY ROAD, VASANTH NAGAR,
BANGALORE -560 051,
KARNATAKA

REPRESENTED BY GPA HOLDER SMT. ARATHI KRISHNA

...APPELLANTS

(BY SRI. BRIJESH SINGH M., ADVOCATE)

Digitally signed by VASANTHA KUMARY B K
Location: HIGH COURT OF KARNATAKA

AND:

1. SRI.R.RAGHU
   AGED ABOUT 52 YEARS,
   SON OF RAJANNA
   RESIDING AT UDAYAPURA,
   VEDA VIGNANA MAHAPEET
   21ST K.M, KANAKAPURA ROAD
   BENGALURU-560002
   BY HIS GPA HOLDER SRI.K.PRASAD

2. STATE OF KARNATAKA
   REPRESENTED BY ITS
   SECRETARY TO GOVERNMENT
   REVENUE DEPARTMENT
   VIDHANA SOUDHA
   BANGAOE 560 001

3. THASILDAR
   BENGALURU SOUTH TALUK
   TALUK OFFICE BUILDING
   BENGALURU-560002

…RESPONDENTS

(BY SRI. M.N.SUDEV HEGDE, AGA FOR R2 & R4)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, PRAYING TO SET ASIDE THE ORDER DATED 16.08.2022 IN WRIT PETITION No.8512/2022 AND ORDERS DATED 08.01.2025 IN REVIEW PETITION No.94/2024 BOTH PASSED BY THE LEARNED SINGLE JUDGE, IN THE INTEREST OF JUSTICE AND EQUITY, ETC.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present intra Court appeal has been filed impugning the judgment and order dated 16.08.2022 passed by the writ Court in W.P.No.8512/2022 as well as the order dated 08.01.2025 passed in review petition No.94/2024. The appellant was not a party before the writ Court. Therefore, the appellant had filed application seeking leave of this Court to file the appeal. This Court, vide order dated 13.03.2026, allowed the application and granted leave to file the appeal.

2. Since the appellants were not the parties to the writ proceedings, we condone the delay in filing the appeal and consequently, the application I.A.No.1/2025 is allowed.

3. The petitioner before the writ Court had filed a writ petition for a writ of mandamus seeking a direction to the Tahsildar, Bengaluru South Taluk to consider the representations dated 02.03.2022 and 22.03.2022 and pass necessary orders regarding the mutation. The petitioner's claim was against the land in question i.e., Sy.No.67 measuring 5 acres 20 guntas situated at Agara Village, Kengeri Hobli,

Bengaluru South Taluk which he had purchased in pursuance of the sale proclamation dated 25.12.2002 and for that the Court auction was conducted on 19.04.2003.

4. The learned counsel for the appellants submits that the appellants are the owners of the land and the same is on record and the order impugned does not prejudice the petitioner or his rights. It is further submitted that in view of the order passed by the writ Court directing the Tahsildar, Bengaluru South Taluk to consider the representation dated 02.03.2022 filed by the petitioner, the proceedings which had concluded would get reopened and the petitioner's right will get affected without hearing him.

5. We have gone through the impugned judgment as well as the judgment passed in the review petition.

6. The learned Single Judge has not given any direction to allow the representation of the petitioner. The only direction is to the Tahsildar to consider the representation of the petitioner and pass necessary orders in accordance with law, as expeditiously as possible.

7. We, therefore, do not wish to interfere with the impugned judgment and order passed by the learned Single Judge in the writ petition as well as the review petition. However, we direct the Tahsildar, Bengaluru South Taluk to issue notice to the petitioner of hearing and consider the petitioner's objections, if any, before taking action or a decision on the representation of the petitioner dated 02.03.2022, as directed by the writ Court.

8. With the aforesaid observations and directions, the writ appeal is ***disposed of***.

9. The costs imposed in the review petition dated 08.01.2025 is waived.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(T.M.NADAF)
JUDGE

RKA
List No.: 2 Sl No.: 2