HC-KAR

NC: 2026:KHC:22341
WP No. 5785 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 5785 OF 2026 (KLR-RR/SUR)

BETWEEN:

1. SMT. KEMPARANGAMMA,
   AGED ABOUT 89 YEARS,
   W/O LATE POOJRAPPA,
   D/O LATE THIMMIAH,

2. SMT. KEMPAJJAMMA,
   AGED ABOUT 54 YEARS,
   W/O LATE SHRI. DODDIAH,
   D/O LATE SHRI.THIMMIAH,
   BOTH RESIDENT OF
   SAGASANDRA VILLAGE,
   NITTUR HOBLI, GUBBI TALUK,
   TUMKUR DISTRICT - 572 222.

...PETITIONERS

Digitally signed by YASHODA K L
Location: High Court Of Karnataka

(BY SRI. CHETHAN B., ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER,
   TUMUKUR DISTRICT,
   TUMUKUR - 572 101.

2. THE ASSISTANT COMMISSIONER,
   TUMKUR SUB-DIVISION,
   TUMUKUR DISTRICT - 572 101.

3. THE TAHASHILDAR,
GUBBI TALUK, TUMUKUR DISTRIT,
TUMUKUR - 572 216.

…RESPONDENTS

(BY SMT.B.P.RADHA, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTING THE RESPONDENT NO.2 TO CONSIDER THE REPRESENTATION DATED 19-01-2026 SUBMITTED TO AFFECT KATHA WITH RESPECT TO PROPERTY BEARING SY.NO.49/3 MEASURING 2 ACRE 38 GUNTAS SITUATED AT SAGSANDRA VILLAGE, NITTUR HOBLI, GUBII TALUK, TUMUKUR DISTRICT AS PER SALE DEED DATED 23-01-1947 BEARING DOCUMENT NO.3151/46-47 AS PER ANNEXURE - A AT THE EARLIEST AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

Learned AGA takes notice for all the respondents.

2. The prayer in the writ petition is to issue directions to respondent No.2-Assistant Commissioner, Tumkur Sub-Division to consider the representation given by the petitioner at Annexure-A. It is contented that the

petitioners' father-Sri Thimmaiah purchased 2 Acres 38 guntas from Sri B.S. Veerappa under a registered Sale Deed dated 23.05.1947, but the name of the petitioners' father in Sy.No.49/3 situated at Sagasandra village, Nittur Hobli, Gubbi Taluk has not been entered in the revenue records.

3. Having regard to the enormous delay on the part of the petitioner and the purchaser in seeking to mutate and enter the name of the purchaser in the revenue records, this Court is of the considered opinion that the petitioner will have to seek a declaration of title at the hands of the competent Civil Court. The Assistant Commissioner will not be in a position to consider the representation given by the petitioner.

4. Accordingly, the writ petition stands ***disposed of*** reserving liberty to the petitioner to approach a competent Civil Court and get a declaration of title.

5. Learned Additional Government Advocate is permitted to file memo of appearance within a period of four weeks from today.

Sd/-
(R DEVDAS)
JUDGE

MKM
List No.: 1 Sl No.: 2