HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

WRIT PETITION NO. 10692 OF 2026 (LB-BMP)

BETWEEN:

1. SRI. N. MANOHAR
   S/O SRI. NIJALINGAPPA C.DHANG
   AGED ABOUT 66 YEARS
   RESIDING AT NO.1182/1
   20TH 'A' MAIN ROAD, RMS LAYOUT
   'A' BLOCK, SAHAKARNAGAR
   BENGALURU- 560 092.

...PETITIONER

(BY SRI. Y.S. HANUMANTHA REDDY, ADVOCATE)

AND:

1. THE GREATER BENGALURU AUTHORITY
   BENGALURU WEST CITY CORPORATION
   1ST FLOOR, BBMP SWIMMING POOL BUILDING
   9TH CROSS, HAMPINAGAR, BENGALURU-560 104.
   REPRESENTED BY ITS COMMISSIONER.

2. ASSISTANT REVENUE OFFICER
   GALI ANJANEYA SWAMY DEVASTHNA
   SUB DIVISION, 1ST FLOOR
   BBMP SWIMMING POOL BUILDING
   9TH CROSS, HAMPINAGAR
   BENGALURU-560 104.

3. SRI. K.K.KULKARNI
   S/O SRI.KARIYAJI KULAKARNI
   AGED ABOUT 84 YEARS
   R/AT NO.167, 3RD MAIN ROAD
   CHANNAMMANAKERE ACHUKATTU
   BANASHANKARI 3RD STAGE

Digitally signed by GEETHA P G
Location: HIGH COURT OF KARNATAKA

BENGALURU- 560 085.

…RESPONDENTS

(BY SRI. KARTHIKEYAN B.S., ADVOCATE FOR R1 & R2;
NOTICE TO R3 IS DISPENSED WITH)

THIS PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE WRIT OF CERTIORARI AND QUASH THE ENDORSEMENT BEARING NO.SA.KAM.A (G.A.DE) WA 132/PR/34/2025-26 DATED 20.03.2026 ISSUED BY RESPONDENT NO.2 VIDE ANNEXURE-H TO THE WRIT PETITION AND ETC.

THIS PETITION COMING ON FOR PRELIMINARY HEARING, THROUGH PHYSICAL HEARING/VIDEO CONFERENCING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.I.ARUN

ORAL ORDER

There is a dispute in respect of a property between petitioner and respondent no.3. Respondent no.3 filed W.P.No.20424/2023 for grant of khata in respect of the property in his name. This Court has disposed of the W.P.No.20424/2023 by passing the following order.

> *"i) The petitioner is given liberty to make a fresh application along with all the necessary particulars for issuance of khata;*
>
> *ii) Upon receipt of such an application, the jurisdictional officer of BBMP shall consider the same in accordance with law and pass appropriate orders within a period of eight weeks thereafter;*
>
> *iii) The writ petition stands disposed of accordingly."*

2. Pursuant to the order passed by this Court, respondent nos.1 and 2 have initiated action to consider the representation of respondent no.3 regarding grant of khata. The petitioner has objected to the same contending that he is the owner of the property concerned. It is noticed that petitioner has filed O.S.No.2032/2025 against respondent no.3 in respect of the property, and has failed to obtain an interim order in his favour so far. Hence, respondent no.2 has issued an endorsement to the petitioner stating that if the petitioner does not obtain any interim orders against the order passed in W.P.No.20424/2023, in that event respondent no.2 will consider the request of respondent no.3 and will pass appropriate orders in accordance with law after obtaining necessary opinion from its law department. Aggrieved by the said endorsement, the present writ petition is filed.

3. The case of the petitioner is that, he is entitled to khata of the property and not respondent no.3 and it is submitted that respondent no.2 intends to issue khata in favour of respondent no.3 without considering the rights of the petitioner.

4. Perusal of the impugned endorsement at Annexure-H to the writ petition, shows that the apprehension of the petitioner is unfounded. By virtue of the impugned endorsement respondent no.2 has not stated that khata will be necessarily issued in favour of respondent no.3. But has stated that application of respondent no.3 would be considered in accordance with law and appropriate orders would be passed. The relevant portion of the impugned endorsement reads as under:

> *"ಆದ್ದರಿಂದ ಘನ ಉಚ್ಚ ನ್ಯಾಯಾಲಯದ ರಿಟ್ ಅರ್ಜಿ ಸಂಖ್ಯೆ:20424/2023ರ ಆದೇಶ/ನಿರ್ದೇಶನದ ದಿನಾಂಕ:30-8-2025ರಂತೆ ಈ ಕಛೇರಿಯಿಂದ ಕ್ರಮವಹಿಸಬೇಕಾಗಿರುವುದರಿಂದ ಈ ಪತ್ರ ತಲುಪಿದ 7 ದಿನಗಳೊಳಗಾಗಿ ಘನ ಉಚ್ಚ ನ್ಯಾಯಾಲಯದ ರಿಟ್ ಅರ್ಜಿ ಸಂಖ್ಯೆ:20424/2023ಗೆ ತಡೆಯಾಜ್ಞೆ ಇರುವ ಬಗ್ಗೆ ಮಾಹಿತಿ ಹಾಗೂ ದಾಖಲೆಗಳನ್ನು ಒದಗಿಸಲು ಈ ಪತ್ರ ಮುಖೇನ ಸೂಚಿಸಲಾಗಿದೆ. ತಪ್ಪಿದಲ್ಲಿ ಘನ ಉಚ್ಚ ನ್ಯಾಯಾಲಯದ ಆದೇಶದನ್ವಯ ಮಾನ್ಯ ಕಾನೂನು ಕೋಶ ಮುಖ್ಯಸ್ಥರ ಅಭಿಪ್ರಾಯದಂತೆ ಕ್ರಮವಹಿಸಲಾಗುವುದೆಂದು ಭಾವಿಸತಕ್ಕದ್ದು. ಹಾಗೂ ಉಲ್ಲೇಖ(1)ರ ಅರ್ಜಿಯ ಬಗ್ಗೆ ಕ್ರಮವಹಿಸಲು ನಿಯಮಾನುಸಾರ ಇ-ಆಸ್ತಿ ಆನ್‌ಲೈನ್ ಪೋರ್ಟಲ್‌ನಲ್ಲಿ ಸಂಬಂಧಪಟ್ಟ ಕ್ರಯ ಪತ್ರ, ಇ.ಸಿ ಮತ್ತು ಬಿಡಿಎನಿಂದ ಅನುಮೋದಿತ ನಕ್ಷೆ ಪ್ರತಿ ಇತ್ಯಾದಿ ದಾಖಲೆಗಳೊಂದಿಗೆ ಅರ್ಜಿ ಸಲ್ಲಿಸಿದ್ದಲ್ಲಿ ನಿಯಮಾನುಸಾರ ಕ್ರಮವಹಿಸಲಾಗುವುದೆಂದು ಈ ಪತ್ರ ಮುಖೇನ ತಿಳಿಸಲಾಗಿದೆ."*

5. Learned counsel appearing for GBA also submits based on the documents made available to respondent no.2 by respondent no.3 and the petitioner, a decision would be taken

whether to issue khata in favour of respondent no.3 or not as per the directions of this Court in W.P.No.20424/2023 after hearing all the parties concerned. He further submits if a decision is taken to issue khata in favour of respondent no.3, then in that event petitioner is always at liberty to challenge the same in the manner known to law. It is submitted that the writ petition filed by the petitioner is premature as no decision has been taken yet to grant khata in favour of respondent no.3.

6. For the aforementioned reasons, the writ petition stands ***dismissed***.

7. It is needless to state that, if a decision is taken by respondent no.2 to grant khata in favour of respondent no.3, petitioner is always having the right to challenge the same in the manner known to law.

Sd/-
(M.I.ARUN)
JUDGE

PGG
List No.: 1 Sl No.: 2