HC-KAR

NC: 2026:KHC:59752
WP NO.13641 OF 2024

CNR: KAHC010249342024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

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

WRIT PETITION NO.13641 OF 2024 (KLR-RES)

BETWEEN:

SRI. CHANDRAPPA
S/O SRI. MASIYAPPA,
AGED ABOUT 67 YEARS,
R/AT NO.48, 3RD CROSS,
PUJARI LAYOUT,
ASHWATH NAGAR,
R.M.V. II STAGE,
BENGALURU - 560 092.

...PETITIONER

(BY SRI. D.R. RAVISHANKAR, SENIOR COUNSEL FOR
SRI. SHARATH S. GOWDA, ADVOCATE)

AND:

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

1. THE DEPUTY COMMISSIONER
   OFFICE OF THE DEPUTY COMMISSIOENR
   BENGALURU URBAN DISTRICT
   K.G. ROAD,
   BENGALURU - 560 009.

2. THE SPECIAL DEPUTY COMMISSIONER
   OFFICE OF THE DEPUTY COMMISSIONER,
   BENGALURU URBAN DISTRICT,
   K.G. ROAD,
   BENGALURU - 560 009.

3. THE ASSISTANT COMMISSIONER
   BENGALURU NORTH SUB-DIVISION,

KANDAYA BHAVANA,
K.G. ROAD,
BENGALURU - 560 009.

4. THE SPECIAL TAHASILDAR
YELAHANKA TALUK,
YELAHANKA,
BENGALURU - 560 064.

5. SMT. K.G. RADHAMMA
W/O LATE GOVINDA RAJU,
AGED ABOUT 68 YEARS,
R/AT NO.3171, WARD NO.4,
GANIGARA PETE,
DODDABALLAPURA TOWN,
BENGALURU RURAL DISTRICT – 561 203.

LATE GOPALAPPA
S/O LATE MUNISWAMAPPA
SINCE DEAD BY HIS LRS.

6. SRI. K. RAJU
S/O LATE GOPALAPPA
AGED ABOUT 67 YEARS.

7. SRI. A.G. NAGARAJU
S/O LATE GOPALAPPA,
AGED ABOUT 63 YEARS.

8. SRI. A.G. CHANDRASHEKAR
S/O LATE GOPALAPPA,
AGED ABOUT 61 YEARS.

9. SMT. ANASUYA
D/O GOPALAPPA,
AGED ABOUT 59 YEARS.

10. SRI. A.G LOKESH
S/O LATE GOPALAPPA
AGED ABOUT 56 YEARS.

RESPONDENTS NO.6 TO 10 ARE
R/AT AGRAHARA VILLAGE,
JAKKURU POST,
YELAHANKA TALUK,
BENGALURU RURAL DISTRICT,
BENGALURU - 560 064.

…RESPONDENTS

(BY SRI. ADITYA DIWAKARA, AGA FOR R1 TO R4;
RESPONDENTS 5 AND 6 DEAD, V/O DATED 28.10.2026,
NOTICE TO LRS OF R5 AND R6 IS DISPENSED WITH;
R7 TO R10-SERVED BUT UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER DATED 27TH AUGUST, 2011 PASSED BY THE RESPONDENT NO.2-SPECIAL DEPUTY COMMISSIONER IN REVISION PETITION NO.255/2008-09 VIDE ANNEXURE-A; DIRECT THE RESPONDENT NO.4 TO ENTER THE NAME OF THE PETITIONER IN THE MUTATION REGISTER IN RESPECT OF THE LAND MEASURING TO AN EXTENT OF 1 ACRE IN SURVEY NO.70 OF AGRAHARA VILLAGE, YELAHANKA TALUK, BENGALURU URBAN DISTRICT; AND ETC.

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

In this petition, the petitioner is challenging the order dated 27th August, 2011 (Annexure-A) passed by the respondent No.2 in Revision Petition No.255/2008-09; *inter alia* sought for a direction to the respondent No.4 to enter the name of the petitioner in the mutation register in respect of the land

to an extent of 1 acre in Survey No.70 of Agrahara Village, Yelahanka Taluk, Bengaluru Urban District.

2. Heard Sri. D.R. Ravishankar, learned Senior Counsel on behalf of Sri. Sharath S. Gowda, appearing for the petitioner and Sri. Aditya Diwakara, learned Additional Government Advocate appearing for respondents 1 to 4.

3. Sri. D.R. Ravishankar, learned Senior Counsel appearing for the petitioner, by referring to the impugned order dated 27th August, 2011 (Annexure-A) contended that, by the time of impugned order is passed by the respondent No.2, the petitioner had purchased the subject land from the respondent No.5-K.G. Radhamma and her children under the registered Sale Deed dated 01st September, 2010 (Annexure-B). Learned Senior Counsel further contended that the impugned proceedings is filed under Section 136(3) of the Karnataka Land Revenue Act, however, the respondent No.2 in the impugned order had exercised power under Section 61(3) of the Karnataka land Reforms Act for vesting of the subject land. Accordingly, learned Senior Counsel submits that the respondent No.2 had no jurisdiction to forfeit the subject land

under the provisions of Karnataka Land Reforms Act. Therefore, learned counsel sought for interference of this Court.

4. Per contra, Sri. Aditya Diwakara, learned Additional Government Advocate appearing for respondents 1 to 4 sought to justify the impugned order passed by the respondent No.2.

5. In the light of submission made by learned counsel appearing for the parties, on careful perusal of the impugned order dated 27th August, 2011 (Annexure-A), it is forthcoming that the said order is passed by the respondent No.2 under Section 136(3) of the Karnataka Land Revenue Act. Perusal of the provision contained under Section 136(3) of the Karnataka Land Revenue Act, makes it clear that the said provision provides for jurisdiction of revision before the Deputy Commissioner against the order passed by the Assistant Commissioner under Section 136(2) of the Karnataka Land Revenue Act. Therefore, I am of the view that the respondent No.2 has no jurisdiction to infer the provision contained under the Karnataka Land Reforms Act particularly referring to the Form No.7 said to have been filed in respect of the subject land. In that view of the matter, I find force in the submission

made by learned Senior Counsel appearing for the petitioner. Hence, I pass the following:

O R D E R

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

(ii) Order dated 27th August, 2011 (Annexure-A) passed by the respondent No.2 in Revision Petition No.255/2008-09 is hereby set-aside;

(iii) The respondent No.4 is directed to enter the name of the petitioner in the revenue records in respect of the subject land within an outer limit of three months from the date of receipt of this order.

SD/-
(E.S. INDIRESH)
JUDGE

ARK
List No.: 1 Sl No.: 43