HC-KAR
NC: 2026:KHC:60227
WP No. 11253 of 2026
CNR: KAHC010258492026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 11253 OF 2026 (GM-R/C)

BETWEEN:

1. SURESH K
   S/O KRISHNAMURTHY,
   AGED ABOUT 32 YEARS.

2. K.R.DEEPU,
   S/O RAJGOPAL,
   AGED ABOUT 37 YEARS,

3. KESHAV MURTHY K.S.
   S/O SRIPATHAIAH,
   AGED ABOUT 56 YEARS.

4. PURSHOTHAM G
   S/O GUNDAPPA,
   AGED ABOUT 54 YEARS.

5. NARASIMHARAJU K.S
   S/O SAMPATH KUMAR,
   AGED ABOUT 38 YEARS.

   ALL ARE R/AT KAMMASANDRA VILLAGE,
   DASANPURA HOBLI, LAKSHMIPURA POST,
   BENGALURU NORTH TALUK,
   BENGALURU-562123.

...PETITIONERS

(BY SRI. K V NARASIMHAN.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
   REPRESENTED BY ITS SECRETARY,

DEPARTMENT OF REVENUE (MUJRAI),
M.S.BUILDING,
BENGALURU- 560001

2. THE COMMISSIONER,
HINDU RELIGIOUS INSTITUTIONS AND
CHARITABLE ENDOWMENTS,
CHAMARAJPET, BENGALURU-560018.

3. ADDITIONAL DEPUTY COMMISSIONER,
AND DEPUTY COMMISSIONER-
DEPARTMENT OF HINDU RELIGIOUS
INSTITUTIONS AND
CHARITABLE ENDOWMENTS,
BENGALURU URBAN DISTRICT,
BANGALORE DISTRICT- 560001.

4. TAHSILDAR,
BENGALURU NORTH TALUK,
KANADAYA BHAVANA, GROUND FLOOR,
K.G.ROAD, BENGALURU- 560001.

5. SHRIRANGACHARYA,
S/O KAMBADA NARASIMHAIAH
ABOUT 60 YEARS.

6. K.LAKSHMIPATHI,
S/O KAMBADA NARASIMHAIAH
AGED ABOUT 55 YEARS.

7. K.BHASKAR,
S/O KAMBADA NARASIMHAIAH
AGED ABOUT 50 YEARS.
SINCE DEAD REPRESENTED BY HIS LRS

7(A) SMT. SUJATHA,
W/O BHASKAR,
AGED ABOUT 51 YEARS.

7(B) KUMARI. MOKSHADA,
D/O BHASKAR,
AGED ABOUT 19 YEARS.

7(C) MASTER. SRINIDHI,
S/O BHASKAR,
AGED ABOUT 16 YEARS.
SINCE MINOR REPRESENTEDBY
MINOR GAURDAIN RESPONDENT NO.7(A).
ALL ARE R/AT 37, BANDE HOSURU,
KANNURU POST, BENGALURU -562149.

8. K. PURSHOTHAM,
S/O KAMBADA NARASIMHAIAH
AGED ABOUT 45 YEARS.

9. K.SRIDHAR,
S/O KAMBADA NARASIMHAIAH
AGED ABOUT 40 YEARS.

10. K. NARASIMHAIAH,
S/O KAMBADA NARASIMHAIAH
AGED ABOUT 35 YEARS.

11. RAM MURTHY K.S
S/O SRIPATHAIAH,
AGED ABOUT 58 YEARS.

ALL ARE R/AT NO.37 BANDE HOSURU,
KANNURU POST,
BENGALURU-562149.

RESPONDENTS

(BY SRI. ASHOKA T., ADVOCATE FOR C/R5;
SRI. HARISHA A.S., AGA FOR R1 TO R4;
SRI. G.T. SRINIVAS.,ADVOCATE FOR R11;
NOTICE TO R10 IS SERVED AND UNREPRESENTED;
V/O DTD 18.06.2026 NOTICE TO R8 AND R9 IS H/S;
V/O DTD 29.08.2026, SERVICE OF NOTICE ON R6 IS H/S.)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER AT ANNX-L BEARING NO. DVS(B) CR.03/2005-06 DTD. 26.03.2026 PASSED BY THE R-3 AND ETC,.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present writ petition is filed seeking for the following reliefs:

> *"a) Issue a writ of certiorari or any other appropriate writ, order direction quashing the impugned order at Annexure-L bearing No. DVS(B) CR.03/2005-06 dated 26.03.2026 passed by the respondent No.3*
>
> *b) Issue a writ of certiorari or any other appropriate writ, order direction quashing the memorandum dated 06.04.2026 issued by the respondent No.4 at Annexure-N bearing No.DVS.CR.23/2025-26*
>
> *c) Grant such other and further relief as this Hon'ble Court deems fit and proper under the facts and circumstance of case, in the interest of justice and equity."*

2. The petitioners seek to assail the order dated 26.03.2026 (Annexure-L to the writ petition) passed by respondent No.3 - Additional Deputy Commissioner as well as the subsequent memorandum dated 06.04.2026 (Annexure-N to the writ petition) passed by respondent No.4 - Tahsildar.

3. In the writ petition at paragraph No.13 the petitioners have averred that the remedy of the petitioners was

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to file a revision petition before respondent No.2 - Commissioner and that since there was no sitting of the Commissioner, the present writ petition is filed.

4. The impugned order dated 26.03.2026 has been passed consequent to the order dated 27.03.2023 passed in WP.Nos.15119/2022 C/w 34094/2017 (Annexure-G to the writ petition) which has been affirmed vide order dated 07.12.2024 passed in WA.No.874/2023 (Annexure-J to the writ petition) wherein the appeal was filed by respondent No.5 herein.

5. This Court vide interim order dated 08.04.2026 ordered as under:

> *"Heard learned counsel for the petitioners, learned AGA and learned counsel for the private respondents.*
>
> *Learned counsel appearing for the petitioners, taking this Court through the impugned order, would submit that respondent No.3, while appointing respondent No.5 as a hereditary archaka, has placed reliance on an earlier order dated 22.04.2021. It is contended that the said order has already been set aside by this Court in W.P.No.15119/2022, as evidenced by Annexure-"G". Therefore, the very foundation on which the impugned order rests is non-existent in the eye of law.*
>
> *Learned counsel would further contend that there were serious allegations against respondent No.5 as well as his father, namely, Kambada Narasimhaiah. However, the authority, while passing the impugned order, has proceeded on an erroneous assumption that there are no allegations against respondent*

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No.5 and has thereby concluded that there is no impediment to appoint him as a hereditary archaka. These two factual aspects, on a prima facie examination, appear to run contrary to the material on record.

The matter, therefore, requires consideration. This Court also takes cognizance of the submission that the petitioners, by way of rotational arrangement, are entitled to discharge the duties of archaka till July 2026. In the backdrop of these significant aspects, this Court is of the view that the impugned order warrants interim interference.

Accordingly, the operation and execution of the impugned order dated 26.03.2026 passed by respondent No.3 and the memorandum dated 06.04.2026 issued by respondent No.4, produced at Annexures "L" and "N", respectively, shall remain stayed till the next date of hearing.

Liberty is reserved to respondent No.5 to file statement of objections, produce relevant supporting documents and thereafter seek vacation of the interim order.

Learned Additional Government Advocate accepts notice for respondent Nos.1 to 4.

Issue emergent notice to respondent Nos.6 to 11."

6. It is clear that this Court had granted stay of the impugned order dated 26.03.2026 and memorandum dated 06.04.2026. The private respondents have filed an application IA No.2/2026 for vacating stay.

7. Having regard to the aforementioned factual matrix, in view of the admitted position that the remedy of a revision petition is available to the petitioners under Section 63 of the

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Karnataka Hindu Religious Institutions and Charitable Endowments Act, 1997[1], it is expedient that the petitioners be permitted to file the revision assailing the impugned order dated 26.03.2026 and the Revisional Authority be permitted to adjudicate the matter. Accordingly, the petitioners are permitted to file the revision petition on or before 12.11.2026.

8. In the event, the revision petition is filed on or before the said date, the same shall be entertained by the Revisional Authority without raising the issue of delay / limitation.

9. Along with the revision petition, the petitioners shall also be permitted to seek for appropriate ad-interim relief. Until consideration of the ad-interim relief by the Revisional Authority the interim order dated 08.04.2026 staying the impugned order dated 26.03.2026 and memorandum dated 06.04.2026 shall continue.

10. This order is without prejudice to the rights and contentions of both parties.

[1] Hereinafter referred to as 'Act'

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11. The Revisional Authority shall adjudicate the matter on its merits, uninfluenced by proceedings before this Court.

12. All rights and contentions of parties in that regard are kept open.

13. The writ petition is ***disposed of*** in the aforementioned terms.

14. The Revisional Authority shall endeavor to adjudicate the interim relief and the main proceedings as expeditiously as possible having regard to long period of time during which the litigation between the parties are pending.

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(C.M. POONACHA)
JUDGE

PNV
List No.: 1 Sl No.: 37