HC-KAR

NC: 2026:KHC:59424
WP No. 14272 of 2020

CNR: KAHC010331652020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

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

WRIT PETITION NO.14272 OF 2020 (KLR-RR/SUR)

BETWEEN:

1. SRI. CHANDRASHEKAR
   S/O LATE CHIKKANNA
   AGED ABOUT 42 YEARS,
   R/AT SHANTHALANAGAR,
   HAGARE VILLAGE, MADIHALLI HOBLI,
   BELURU TALUK
   HASSAN DISTRICT-573 216.

...PETITIONER

(BY SRI. VIJAY KRISHNA BHAT M., ADVOCATE)

AND:

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

1. THE STATE OF KARNATAKA
   REP BY ITS SECRETARY
   DEPARTMENT OF REVENUE,
   VIDHANA SOUDHA,
   BENGLAURU-560 001.

2. THE DEPUTY COMMISSIONER
   B.M.ROAD, HASSAN
   HASSAN DISTRICT-573 201.

3. THE DEPUTY DIRECTOR OF LAND RECORDS
   MINI VIDHANA SOUDHA,

BELUR TALUK,
HASSAN DISTRICT-573 115.

4. THE TAHSILDAR
MINI VIDHANA SOUDHA,
BELUR TALUK,
HASSAN DISTRICT-573 115.

5. SRI. A.S.CHETHAN
S/O LATE A.C.SHIVANNA
AGED : MAJOR,
R/AT HAGARE VILLAGE,
MADIHALLI HOBLI,
BELURU TALUK
HASSAN DISTRICT-573 216.

6. SRI. MADDURAIAH
S/O BUDDAIAH
AGED : MAJOR,
R/AT ANGADIHALLI VILLAGE,
MADIHALLI HOBLI,
BELURU TALUK,
HASSAN DISTRICT-573 216.

7. SMT. ANUSUYA
W/O ESHWAR
AGED : MAJOR,
R/AT PANDITHANAHALLI VILLAGE,
MADIHALLI HOBLI,
BELURU TALUK,
HASSAN DISTRICT-573 216.

8. SRI. BASAVARAJU
S/O LATE SIDDABASAVEGOWDA
AGED MAJOR,

HAGARE VILLAGE, MADIHALLI HOBLI,
BELURU TALUK,
HASSAN DISTRICT-573 216.

…RESPONDENTS

(BY SRI. SHAMANTH NAIK, AGA FOR R1 TO R4;
SRI. GIRISHA H.M., ADVOCATE FOR R5 TO R8)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE IMPUGNED ORDER DATED 10.03.2020 PASSED BY THE RESPONDENT NO.2 VIDE ANNEXURE-E.

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

1. In this Writ Petition, petitioner is assailing the order dated 10.03.2020 in case No.Bhu.Ma.Me.Ma:01/18-19(Annexure-E), passed by respondent No.2.

2. Sri. Vijay Krishna Bhat M., learned counsel appearing for the petitioner, contended that the land in question has been purchased by the father of the petitioner, as per the registered

sale deeds dated 31.05.1978, 18.08.1983 and 24.08.1983 and without arraying the petitioner herein as a party before respondent No.2, the private respondents herein have challenged the phodi in respect of the subject land bearing Sy.No.61 of Hagare Village, Madihalli Hobli, Belur Taluk, Hassan District and accordingly, sought for interference of this Court.

3. Per contra, Sri. Girisha H.M., learned counsel appearing for the respondent Nos.5 to 8, contended that the suit in O.S.No.113/2020 is pending consideration before the competent Civil court as to the identification of the property in question and therefore the impugned order passed by respondent No.2 is just and proper and accordingly, sought for dismissal of the Writ Petition.

4. Sri. Shamanth Naik, learned Additional Government Advocate appearing for the respondent Nos.1 to 4, sought to justify the impugned order.

5. Taking into consideration the factual aspects on record, the petitioner is claiming right over the property based on the registered sale deeds dated 31.05.1978, 18.08.1983 and

24.08.1983, and in that view of the matter, I am of the view that, respondent No.2 ought to have heard the petitioner herein before passing the impugned order at Annexure-E.

6. It is also to be noted that the petitioner is seeking right over the property based on the registered documents, the petitioner's right has been adversely affected by the impugned order. In that view of the matter, I pass the following:

ORDER

(i) The Writ Petition is allowed.

(ii) The order dated 10.03.2020 in case No.Bhu.Ma.Me.Ma:01/18-19(Annexure-E), passed by the respondent No.2 is hereby set aside.

(iii) The matter is remitted to respondent No.2 to reconsider the issue afresh after affording opportunity of hearing to all the parties including the petitioner herein and take decision in the matter, in accordance with law.

(iv) It is open for the petitioner herein to get impleaded in the proceedings before respondent No.2 – authority.

(v) The parties since have been represented through their learned counsel in this matter, parties are directed to appear before respondent No.2 on 07.12.2026 at 2.30 p.m.

SD/-
(E.S.INDIRESH)
JUDGE

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List No.: 1 Sl No.: 51