HC-KAR

NC: 2026:KHC:59750
WP NO.16092 OF 2024

CNR: KAHC010335202024

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.16092 OF 2024 (KLR-RES)

BETWEEN:

SMT. KENCHAPPA
S/O POOJAR KARIYAPPA,
AGED ABOUT 70 YEARS,
R/AT KAREKATTE VILLAGE,
SANTHEBENNURU HOBLI,
CHANNAGIRI TALUK,
DAVANAGERE DISTRICT – 577 213.

…PETITIONER

(BY SRI. ADINARAYANAPPA, ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER
DAVANAGERE DISTRICT,
DAVANAGERE-HARIHAR ROAD,
KARUR,
DAVANAGERE – 577 006.

2. THE ASSISTANT COMMISSIONER
HONNALI SUB-DIVISION,
HONNALI,
DAVANAGERE DISTRICT – 577 217.

3. THE TAHSILDAR
CHANNAGIRI TALUK,
CHANNAGIRI,
DAVANAGERE DISTRICT – 577 213.

4. SRI. K.N. SHIVALINGAPPA
S/O VEERABASAPPA,

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

AGED ABOUT 65 YEARS,
R/AT KAREKATTE VILLAGE,
SANTHEBENNURU HOBLI,
CHANNAGIRI TALUK,
DAVANAGERE DISTRICT – 577 213.

…RESPONDENTS

(BY SRI. SHAMANTH NAIK, AGA FOR R1 TO R3;
SRI. M.R. HIREMATHAD, ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO SET-ASIDE THE ORDER DATED 07TH MARCH, 2024 PASSED BY THE RESPONDENT NO.1 IN CASE NO.RA:CR-84:2022-23 VIDE ANNEXURE-A; CONSEQUENTLY DIRECT THE RESPONDENT NO.4 NOT TO INTERFERE WITH THE PEACEFUL POSSESSION AND ENJOYMENT OF THE PETITIONER OVER THE PROPERTY BEARING SURVEY NO.55/1 (SY.NO.55/1P2) MEASURING TO AN EXTENT OF 15 GUNTAS OF LAND, SITUATED AT KAREKATTE VILLAGE, SANTHEBENNURU-2 HOBLI, CHANNAGIRI TALUK, DAVANAGERE DISTRICT IN ANY MANNER; 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 07th March, 2024 (Annexure-A) passed by the respondent No.1 in Case No.RA:CR-84:2022-23.

2. Heard Sri. Adinarayanappa, learned counsel appearing for the petitioner and Sri. Shamanth Naik, learned Additional Government Advocate appearing for respondents 1

to 4; and Sri. M.R. Hiremathad, learned counsel appearing for the respondent No.4.

3. Having heard the learned counsel appearing for the parties, on perusal of the finding recorded in the impugned order, it is forthcoming that the respondent No.1 has directed the respondent No.3-Tahsildar to change the Khata of the subject land in terms of the registered Sale Deed dated 10th September, 2007 (Annexure-F) executed in favour of the respondent No.4 herein. In that view of the matter, I am of the view that the impugned order passed by the respondent No.1 dated 07th March, 2024 (Annexure-A) in Case No.RA:CR-84:2022-23 is just and proper and there is no perversity to interfere with in this petition. Accordingly, reserving liberty to the petitioner to establish his right over the subject property in a manner known to law, writ petition is ***dismissed.***

SD/-
(E.S.INDIRESH)
JUDGE

ARK
List No.: 1 Sl No.: 45