HC-KAR

NC: 2026:KHC:60047
WP No. 416 of 2021

CNR: KAHC010378512020

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. 416 OF 2021 (KLR-RR/SUR)

BETWEEN:

SRI. H.B.JAGADISH GOWDA,
S/O H.M.S. BYRAPPA,
AGED ABOUT 40 YEARS,
HANTHURU VILLAGE,
GONIBEEDU HOBLI,
MUDIGERE TALUK - 577 132.

...PETITIONER

(BY SRI. CHANDRANATH ARIGA K., ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER,
   CHIKKAMAGALURU DISTRICT,
   CHIKKAMAGALURU - 577 101.

2. THE TAHASILDAR,
   MUDIGERE TALUK,
   MUDIGERE - 577 550,
   CHIKKAMAGALURU DISTRICT.

3. THE CHIEF EXECUTIVE OFFICER,
   ZILLA PANCHAYATH,
   CHIKKAMAGALURU - 577 101.

4. THE PANCHAYATH DEVELOPMENT OFFICER,

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

OLD MUDIGERE VILLAGE PANCHAYATH,
MUDIGERE TALUK - 577 550,
CHIKKAMAGALURU DISTRICT.

5. THE BLOCK EDUCATION OFFICER,
K.M. ROAD, MUDIGERE - 577 550,
CHIKKAMAGALURU DISTRICT.

6. THE CHIEF OFFICER,
TOWN PANCHAYATH,
MUDIGERE - 577 550,
CHIKKAMAGALURU DISTRICT.

…RESPONDENTS

(BY SRI.SHAMANTH NAIK, AGA FOR R1, R2 AND R5;
SRI.ASHOK N NAYAK, ADVOCATE FOR R3 AND R4;
SRI.GIREESH KODGI, ADVOCATE FOR R6)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS IN R.P.NO.184/2016-17 ON THE FILE OF THE R-1; QUASH THE ORDER DATED 20.10.2020 PASSED BY THE R-1 IN R.P.NO.184/2016-17 VIDE ANNX-G AND ETC.,

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

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

ORAL ORDER

In this writ petition, petitioner is assailing the order dated 20.10.2020 (Annexure-G) in R.P.No.184/2016-17 passed by respondent No. 1.

2. Having taken note of the submission made by the learned counsel appearing for the parties, respondent No.6 has filed Revision Petition under Section 136(3) of the Karnataka Land Revenue Act, 1964 (for short 'the Act') before respondent No.1 without filing the appeal under Section 136(2) of the Act, challenging the RRT proceedings dated 28.03.2016.

3. In that view of the matter, I find force in the submission made by the learned counsel appearing for the petitioner that without exhausting the remedy available to file appeal, no revision be accepted by the competent authority under the Act.

4. With this observation, I pass the following:

ORDER

(i) Writ Petition is ***allowed***.

(ii) Order dated 20.10.2020 (Annexure-G) passed by respondent No.1 is accordingly quashed and liberty is reserved to respondent No.6 to file the appeal before the competent authority under Section 136(2) of the Act.

(iii) It is also to be noted that in the event, if respondent No.6 filed the appeal before the competent authority under 136(2) of the Act within four weeks from the date of receipt of a copy of this order, respondent No.6 is entitled for waiving the period spent by the parties before this Court accordingly.

Sd/-
(E.S.INDIRESH)
JUDGE

PSJ
List No.: 1 Sl No.: 11