HC-KAR

NC: 2026:KHC:61866
WP No. 17588 of 2026

CNR: KAHC010386172026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO. 17588 OF 2026 (KLR-RES)

BETWEEN:

THE CORRESPONDENT,
ST LOURDES BOYS HIGH SCHOOL,
NO.14/1, CAMBRIDGE ROAD,
JOGUPALYA, USLORR,
BANGALORE - 560 008.
REPRESENTED BY
FR. MARIA LOUIS,
AGED ABOUT 42 YEARS,
S/O CHRISTU RAJA.

...PETITIONER

(BY SRI. JOSEPH ANILKUMAR A., ADVOCATE)

AND:

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

1. THE REGIONAL JOINT DIRECTOR
   OF LAND RECORDS,
   BANGALORE DIVISION,
   1ST CROSS, KR CIRCLE,
   AMBEDKAR VEEDI,
   BANGALORE - 560 001.

2. THE ENQUIRY OFFICER,
   CITY SURVEY NO.2,
   KR CIRCLE,
   BANGALORE - 560 001.

3. THE ASSISTANT DIRECTOR OF LAND RECORDS,
CITY SURVEY NO.2,
BANGALORE - 560 001.

4. SMT. MAHESHWARI,
W/O LATE RANGANATHAN,
AGED ABOUT 60 YEARS,
R/O NO.18, KUMAR KOIL STREET,
PARANGIPETTAL, CUDDALORE,
TAMILNADU - 608 502.

5. SRI. AMUL RAJ,
S/O M. CALLIAPERUMAL,
AGED ABOUT YEARS,
R/O NO.183, SUBBAIAH NAGAR,
THATTANCHAVADY,
PONDICHERRY - 605 009.

6. SMT. AMASAVALLI,
D/O LATE RANGANATHAN,
W/O SRI. VALTHANATHAN,
AGED ABOUT 73 YEARS,
R/AT NO.472,
VINAYAGAR KOIL STREET,
PUDHUKUPPAM,
VIRUPATCHI,
CUDDALORE - 607 302,
TAMILNADU.

7. SMT. THILAGAM,
D/O LATE RAGANATHAN,
W/O CALLIPERUMAL,
AGED ABOUT 74 YEARS,
R/AT NO.183, SUBBAIAH NAGAR,

THATTANCHAVADY,
PONDICHERRY - 605 009.

…RESPONDENTS

(BY SRI.SHAMANTH NAIK, AGA FOR R1 TO R3;
SRI.JAYAVITTAL RAO KOLAR, SENIOR ADVOCATE FOR
SRI.PRUTHVI WODEYAR, ADVOCATE FOR R4, R5 AND R7;
R6 IS DECEASED)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A. ISSUE WRIT OF CERTIORARI TO SET ASIDE / QUASH ANNEXURE A THE ORDER DATED 08/05/2026 PASSED BY THE 1ST RESPONDENT IN REVISION PETITION 1/2024 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, the petitioner is assailing the order dated 08.05.2026 in Revision Petition No.1/2024 on the file of respondent No.1 (Annexure-A) *inter alia* sought for restoration of the property card standing in the name of the petitioner, by implementing the impugned order.

2. Sri Joseph Anil Kumar.A., learned counsel appearing for the petitioner submitted that the petitioner is the absolute owner in possession of the property

bearing Survey No.17 (old No.14/11) CTS No.1208, Cambridge Road at Civil Station Halsoor, Bangalore. Learned counsel further contended that, the private respondents herein have challenged the survey and the hadbasthu in respect of the subject land after five decades and therefore, contended that respondent No.1 has no authority to pass the impugned order in contravention of Section 56(3) of the Karnataka Land Revenue Act, 1964 and in this regard, learned counsel appearing for the petitioner refers to the judgment of Hon'ble Supreme Court in the case of ***M.R.R. Setty (Dead) by Lrs. v. Government of Karnataka and Others*** reported in ***2026 SCC Online SC 1743*** and submitted that respondent No.1 has committed an error in allowing the Revision Petition in part filed by the private respondents herein and accordingly, sought for interference of this Court.

3. Sri Jayavittal Rao Kolar, learned Senior Counsel on behalf of Sri Pruthvi Wodeyar, learned counsel

appearing for respondent Nos.4, 5 and 7 submitted that the petitioner has no title in respect of the land in question and further contended that the petitioner herein has filed O.S.No.26699/2022 before the Trial Court seeking relief of injunction and in the said suit the petitioner herein has filed I.A.Nos.1 and 2 seeking order of temporary injunction against the defendants therein and the said applications were dismissed by the Trial Court vide order dated 15.09.2026 and further contended by referring to the finding recorded by the Trial Court in the said order in connection with paragraph Nos.18 to 25 and contended that the Trial Court has already made an observation, *prima facie* that there is a cloud in respect of the ownership of petitioner herein and therefore, submitted that as the petitioners themself do not have the title over the property in question and therefore, the writ petition deserves to be dismissed.

4. It is also submitted by the learned Senior Counsel appearing for respondent Nos.4, 5 and 7 that

respondent Nos.4 to 7 herein have the right over the property and are in possession of the land in question and further contended by referring to the operative portion in the impugned order at Annexure-A and submitted that, the said Revision Petition filed by the private respondents herein has been allowed in part. However, respondent No.1 has directed the respondent-authorities to continue the name of the petitioner in the revenue records and therefore, the writ petition itself is not maintainable as the petitioner is not aggrieved by the impugned order.

5. Sri Shamanth NaiK, learned Additional Government Advocate for respondent Nos.1 to 3 sought to justify the impugned order and sought for dismissal of the writ petition.

6. In the light of the submissions made by the learned counsel appearing for the parties and on careful consideration of the impugned order at Annexure-A, wherein, respondent No.1 has not stated in the entire

order with regard to which order has been challenged by the private respondents herein in the impugned order. It is also forthcoming from the operative portion of the impugned order at Annexure-A, it is not clear as to which order was under challenge has been passed by respondent No.1, since the Revision Petition came to be allowed in part.

7. In that view of the matter, taking into consideration the title in respect of the petitioner as well as the private respondents is required to be decided in the competent Civil Court and as it is rightly pointed out by the learned Senior Counsel appearing for the respondent Nos.4, 5 and 7, in respect of the order dated 15.09.2026 in O.S.No.26699 of 2022 by the Competent Civil Court, I am of the view that, the matter requires to be remanded to respondent No.1 for fresh consideration.

8. Though the learned counsel appearing for the petitioner submitted that the petitioner has preferred

appeal against the order dated 15.09.2026 passed in O.S.No.26699/2022, a perusal of the findings recorded by the Trial Court, wherein, the Trial Court has made an observation while considering the application under Order XXXIX Rule 1 and 2 r/w Section 151 of CPC as to the cloud in respect of the title of the plaintiff therein (petitioner herein). Therefore, I am of the view that the matter requires to be remitted to respondent No.1 for fresh consideration, by taking into consideration the rights of the parties and the documents that may be produced by them while adjudicating the Revision Petition No.1/2024-25 and further, the revenue records that can be placed by the competent authorities therein and thereafter, respondent No.1 shall take decision in the matter, in accordance with law.

9. In the result, I pass the following:

ORDER

(i) Writ petition is ***allowed-in-part***.

(ii) The Order dated 08.05.2026 (Annexure-A) passed by respondent No.1 is accordingly, set aside and the matter is remitted to respondent No.1 to reconsider the issue afresh in the light of the observation made above and thereafter, take decision in the matter in accordance with law.

(iii) In order to expedite the hearing, I am of the view that as the parties are represented through the learned counsels, parties are directed to appear before respondent No.1 on **15.12.2026 at 02:30 p.m.** and on their appearance, the respondent No.1 shall expedite the hearing.

(iv) All contentions of the parties are kept open.

Sd/-
(E.S.INDIRESH)
JUDGE

PSJ
List No.: 1 Sl No.: 13