HC-KAR

NC: 2026:KHC:61867
WP No. 20570 of 2025

CNR: KAHC010447492025

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. 20570 OF 2025 (LR)

BETWEEN:

1. SRI. RAJANNA,
S/O MUNIYAPPA,
AGED ABOUT 60 YEARS,
RESIDING AT NO.1,
MUNIGOWDA GARDEN,
BEHIND MUNESHWARA TEMPLE,
NEELASANDRA, BENGALURU SOUTH,
BENGALURU - 560 047.
REPRESENTED BY POA
SMT. SUMATHI J.

2. SRI. TAYAPPA,
S/O C. MUNIYAPPA,
AGED ABOUT 74 YEARS,
RESIDING AT NO.149,
3RD MAIN, 4TH CROSS,
JAKKASANDRA VILLAGE,
BENGALURU - 560 034.
DULY REPRESENTED BY THEIR
POWER OF ATTORNEY HOLDER
SMT. SUMATHI J.

...PETITIONERS

(BY SRI. K.R.POORNA PRASAD., ADVOCATE)

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

AND:

1. THE STATE OF KARNATAKA,
   REPRESENTED BY ITS SECRETARY,
   DEPARTMENT OF REVENUE,
   (MUJARAI AND BHUMI, UPOR),
   M.S.BUILDING,
   DR. AMBEDKAR VEEDI,
   BANGALORE - 560 001.

2. THE DEPUTY COMMISSIONER,
   BANGALORE URBAN DISTRICT,
   BANGALORE DISTRICT,
   D.C.OFFICE COMPLEX,
   KANDAYA BHAVAN,
   GROUND FLOOR, K.G.ROAD,
   BENGALURU - 560 09.

3. THE ASSISTANT COMMISSIONER,
   BANGALORE NORTH SUB DIVISION,
   KANDAYA BHAVAN, 2ND FLOOR,
   K G ROAD,
   BENGALURU - 560 009.

4. THE TAHSILDAR,
   BANGALORE NORTH TALUK,
   D.C.OFFICE COMPLEX,
   KANDAYA BHAVANA,
   BENGALURU - 560 009.

5. THE COMMISSIONER,
   HINDU RELIGIOUS INSTITUTION
   AND CHARITABLE ENDOWMENT
   KARNATAKA STATE, 2 AND 3 FLOOR,
   MAHADESHWARA,

VRUTHA BHAVAN,
VENKATARAO ROAD,
CHAMARAJPET,
BENGALURU - 560 018.

6. THE COMMISSIONER,
BRUHATH BENGALURU
MAHANAGARA PALIKE,
N.R.SQUARE, BBMP,
BENGALURU - 560 001.

7. THE CONVENOR,
SRI DHARMARAYASWAMY TEMPLE,
ULSOORPET,
BENGALURU CITY.
SRI DHARMARAYASWAMY
TEMPLE MAIN ROAD,
OTC ROAD,
BANGALORE - 560 009.

8. SRI. JEEVAN PRAKASH,
S/O LOKESH,
AGED ABOUT 38 YEARS,
RESIDING AT NO.1,
MUNIGOWDA GARDEN,
BEHIND MUNESHWARA TEMPLE,
NEELASANDRA,
BENGALURU - 560 047.

9. SMT. MAMATHA,
W/O HARISH,
AGED ABOUT 40 YEARS,
RESIDING AT NO.182,
3RD CROSS,
LALBAGH SIDDAPURA,

MUNIVEERAIAH NURSERY,
JAYANAGAR 1ST BLOCK,
BENGALURU SOUTH,
JAYANAGAR 3RD BLOCK,
BENGALURU - 560 011.

…RESPONDENTS

(BY SMT.SHARADHA H.V., AGA FOR R1 TO R5;
SRI.N.R.JAGADEESWARA, ADVOCATE FOR R6;
SRI.HARISHCHANDRA MOVVAR, ADVOCATE FOR R7;
SRI.N.R.NAIK, ADVOCATE FOR R8 AND R9)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO PASS AN ORDER OR DIRECTION IN THE NATURE OF WRIT SPECIFICALLY IN THE NATURE OF WRIT OF CERTIORARI DECLARING THAT THE ORDER DATED 10-07-1964 PASSED BY THE R2 SPECIAL DEPUTY COMMISSIONER AS VOID, NON-EST, NULL VOID, AND VITIATED WITH JURISDICTIONAL ERROR AND ALL ITS SUBSEQUENT PROCEEDINGS THEREOF AND MARKED AS ANNEXURE G AND FURTHER DIRECTING THE RESPONDENTS NO.1 TO 7 TO TAKE NECESSARY STEPS TO PUT THE PETITIONERS AS ABSOLUTE OWNERS BY ISSUING OF A WRIT OF MANDAMUS 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 10.07.1964 in Case No.12, 2459, 5, 1, 3, 4, 7 & 20/1959-60 passed by the Special Deputy Commissioner (Annexure-G).

2. It is contended by learned counsel appearing for the petitioner by referring to the impugned order dated 10.07.1964 at Annexure-G and has referred to the fact that the land in question was not an Inam land and therefore, submitted that the impugned order at Annexure-G requires to be set aside in this writ petition.

3. Per contra, Sri Harischandra Movvar, learned counsel appearing for respondent No.7 submitted that there is a delay of 61 years in challenging the impugned order dated 10.07.1964 and learned counsel further contended that the very same order was challenged before the competent authority in Appeal Case No.513, 514 and 515/1965, and same was dismissed and confirmed by

Division Bench of this Court and reached finality and therefore, learned counsel for the respondent contended that the writ petition deserves to be dismissed.

3. Learned Additional Government Advocate Smt.Sharadha H.V., submitted that there is a delay of more than 6 decades, accordingly, sought for dismissal of the writ petition.

4. In the light of the submissions made by the learned counsel appearing for the parties and on careful consideration of the writ papers would indicate that petitioners have sought for declaration that the order dated 10.07.1964 passed by the competent authority at Annexure-G is null and void on the ground that the land in question is not an Inam land. In this regard, it is not in dispute that there is a delay of 61 years in challenging the impugned order at Annexure-G by the petitioner and the averments made in the writ petition would not satisfy the Court that the petitioners were diligent and as there is an

inordinate delay of more than 6 decades and therefore, following the declaration of law held by Hon'ble Supreme Court in the case of ***Mrinmoy Maity V. Chhanda Koley and others*** reported in ***2024 SCC Online SC 551***, I am of view that no interference is called for in this writ petition.

5. That apart, taking into consideration that the very same order has been challenged before the appellate authority in Appeal Case No. 513, 514 and 515/1965, which reached finality, I am of the view that, no interference is called for, in this writ petition.

Accordingly, writ petition is ***dismissed*** on the ground of delay and laches.

Sd/-
(E.S.INDIRESH)
JUDGE

PSJ
List No.: 1 Sl No.: 11