HC-KAR

NC: 2026:KHC:60181-DB
WA No. 1766 of 2026

CNR: KAHC010487752026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF OCTOBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

WRIT APPEAL NO. 1766 OF 2026 (KLR-RES)

BETWEEN:

1. L. VENKATESH REDDY
   AGED ABOUT 60 YEARS,
   S/O. LATE. SRI. H. H. LAKSHMAIAH REDDY,
   R/A.NO.39/24,
   THIMMA REDDY ROAD,
   APPA REDDY PALYA,
   INDIRANAGAR,
   BENGALURU-560 038.

...APPELLANT

(BY SRI. G.V.CHANDRASHEKAR, SENIOR COUNSEL FOR
SMT. APEKSHA D., ADVOCATE)

Digitally signed by VASANTHA KUMARY B K
Location: HIGH COURT OF KARNATAKA

AND:

1. THE TAHSILDAR
   BENGALURU EAST TALUK,
   K.R.PURAM,
   BENGALURU

2. THE ASSISTANT COMMISSIONER
   BENGALURU NORTH SUB-DIVISION,
   BENGALURU

3. JAYALAKSHMAMMA
   W/O LATE. SRI. H. H. LAKSHMAIAH REDDY.
   AGED ABOUT 74 YEARS.
   RESIDING AT NO. 1/1,

THIMMA REDDY ROAD.
APPA REDDY PALYA,
INDIRANAGAR POST,
BENGALURU-560 038.

4. L. MANJULA
AGED ABOUT 52 YEARS,
W/O LATE SRI. GOPALA REDDY,
PRESENTLY R/A.NO.90/2,
15TH CROSS,
APPA REDDY PALYA,
INDIRANAGAR POST,
BENGALURU-560 038.

5. L. CHANDRAKANTHI
AGED ABOUT 51 YEARS,
W/O LATE SRI N SURESH BABU,
R/A. KUDLU VILLAGE,
SARJAPURA HOBLI
ANEKAL TALUK-560 068.

6. L. PURUSHOTHAM REDDY.
AGED ABOUT 49 YEARS,
S/O LATE. SRI H H. LAKSHMAIAH REDDY.
RESIDING AT NO. 1/1,
THIMMA REDDY ROAD,
APPA REDDY PALYA, INDIRANAGAR POST,
BENGALURU-560 038.

7. L RAGHURAM REDDY.
AGED ABOUT 47 YEARS,
S/O LATE SRI H H. LAKSHMAIAH REDDY.
RESIDING AT NO. 1/1,
THIMMA REDDY ROAD,
APPA REDDY PALYA,
INDIRANAGAR POST,
BENGALURU-560 038.

…RESPONDENTS

(BY SRI. S.H.RAGHAVENDRA, AGA FOR R1 AND R2;
SRI. K.M.JAGANATH, ADVOCATE FOR R3 TO R7)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT IN WP No. 22085 OF 2025 VIDE ORDER DATED 22.09.2025 BY ALLOWING THIS IN THE INTEREST OF JUSTICE AND EQUITY, ETC.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present intra Court appeal has been filed impugning the judgment and order dated 22.09.2025 passed by the writ Court in W.P.No.22085/2025 (KLR-RES) filed by the private respondents against the order dated 17.02.2025 passed by the Assistant Commissioner, Bengaluru North Sub Division, Bengaluru, in R.A.(BE).30/2025.

2. The appellant and the private respondents are the children of late Sri H. Lakshmaiah Reddy. The appellant was born from the first wife Smt.Guramma, who died when the appellant was only 3 months old, because of the post-natal complications developed after the birth of the appellant. After the death of

Guramma, the mother of the Appellant, H. Lakshmaiah Reddy got married again to Smt. Jayalakshmamma. From the second wife 4 children were born, who are respondent Nos.4 to 7.

3. It appears that lands in Survey Nos.22/1, 22/10, 22/11, 22/12 and 22/13 measuring 13 acres 10 guntas situated at Seegehalli Village, Krishnarajpuram Hobli, Bangalore East Taluk, was in the name of late Guramma. After the death of Guramma as per Section 15(1)(a) of the Hindu Succession Act, 1956, the property in those survey numbers devolved on the father and the son in equal share. It appears that the revenue entries were standing in respect of the said land of Guramma in favour of the appellant as well as H. Lakshmaiah Reddy. On 01.09.2017, the said H. Lakshmaiah Reddy died and on the basis of the registered gift deed, the names of the private respondent Nos.4 to 7 were mutated in the place of H. Lakshmaiah Reddy.

4. The appellant filed an application on 05.08.2024 before the concerned Tahsildar requesting to delete the mutation entry in MR No.40/2002-03 and MR No.23/2003-04 and restore the khata in his name, in terms of the mutation order in IHC

No.4/1989-90. The Tahsildar did not take any action on the application and the petitioner filed the appeal in R.A.(BE).30/2025. The Assistant Commissioner without even issuing notice to the private respondent Nos.4 to 7, allowed the appeal and directed for deletion of the names of the private respondents in the revenue entries in respect of the lands in question.

5. The learned Single Judge considering the fact that even notice was not issued to the private respondents, set aside the order passed by the Assistant Commissioner and directed to restore the entries in terms of the MR No.40/2002-03 and MR No.23/2003-04 as expeditiously as possible and at any rate within a period of 4 weeks from the date of receipt of the certified copy of the order.

6. A further direction was issued to the Chief Secretary, Government of Karnataka and the Principal Secretary, Revenue Department, Government of Karnataka to take appropriate action against the then Assistant Commissioner - Sri Pramod L Patil, having regard to the observations made in the impugned judgment and order.

7. We have considered the submission of learned counsel for the parties and perused the records. The Assistant Commissioner has passed the order without even issuing notice to the private respondents and deleted the entries that stood in the name of the private respondents.

8. We are of the view, that the order needs to be set aside and the matter should be remanded back to the Assistant Commissioner to decide the case afresh in accordance with the law after hearing the parties.

9. We therefore, partly ***allow*** this appeal, and modify the impugned judgment and order dated 22.09.2025 passed by the writ Court in W.P.No.22085/2025, to the extent of remanding the matter back to the Assistant Commissioner for a decision afresh. The Assistant Commissioner should issue notice to the private respondent Nos.R3 to R7 and after hearing them and recording the evidence and after taking into consideration their submissions, pass an appropriate order in accordance with law.

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10. Pending interlocutory application(s), if any, do not survive for consideration and hence stand disposed of.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(H.SHANTHI BHUSHAN)
JUDGE

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