HC-KAR

NC: 2026:KHC:61586
WP No. 23161 of 2026

CNR: KAHC010516072026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO. 23161 OF 2026 (KLR-RES)

BETWEEN:

1. SMT. GANGAMMA
   WIFE OF LATE GANGACHELUVAIAH,
   AGED ABOUT 50 YEARS,
   RESIDING AT HOODAGHATTA VILLAGE,
   HUTHRIDURGA HOBLI, KUNIGAL TALUK,
   TUMAKURU DISTRICT,
   PINCODE 572126
2. SRI. RENUKAIAH,
   SON OF LATE CHELUVAIAH,
   AGED ABOUT 57 YEARS, RESIDING AT
   HOODAGHATTA VILLAGE,
   HUTHRIDURGA HOBLI, KUNIGAL TALUK,
   TUMAKURU DISTRICT,
   PINCODE 572126
3. SMT.KUMARI,
   WIFE OF LATE RAMESH,
   AGED ABOUT 47 YEARS,
   RESIDING AT HOODAGHATTA VILLAGE,
   HUTHRIDURGA HOBLI, KUNIGAL TALUK,
   TUMAKURU DISTRICT,
   PINCODE 572126

...PETITIONERS

(BY SRI. PUNITH C., ADVOCATE)

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

AND:

1. THE STATE OF KARNATAKA
   DEPARTMENT OF REVENUE, M.S.BUILDING,
   BENGALURU - 560001
   BY PRINCIPAL SECRETARY.

2. THE JDLR (JOINT DIRECTOR OF LAND RECORDS),
   BENGALURU SUB DIVISION, K.R.CIRCLE,
   BENGALURU - 560 001.

3. THE DEPUTY DIRECTOR OF LAND RECORDS,
   TUMAKURU DISTRICT - 570 001.

4. THE ASSISTANT DIRECTOR OF LAND RECORDS,
   KUNIGAL TALUK,
   TUMAKURU DISTRICT - 570 001.

5. THE TAHSILDAR,
   KUNIGAL TALUK,
   TUMAKURU DISTRICT - 572 130.

6. SRI. BASAVARAJAIAH,
   SON OF LATE MAHADEVAIAH,
   AGED ABOUT 65 YEARS, RESIDING AT
   HOODAGHATTA VILLAGE,
   HUTHRIDURGA HOBLI, KUNIGAL TALUK,
   TUMAKURU DISTRICT - 572 126.

7. SMT. KAMALLAMMA,
   DAUGHTER OF LATE MAHADEVAIAH,
   AGED ABOUT 69 YEARS,
   RESIDING AT HOODAGHATTA VILLAGE,
   HUTHRIDURGA HOBLI, KUNIGAL TALUK,
   TUMAKURU DISTRICT - 572 126

8. SMT. SUNANDAMMA,
DAUGHTER OF LATE MAHADEVAIAH,
AGED ABOUT 55 YEARS, RESIDING AT
HOODAGHATTA VILLAGE,
HUTHRIDURGA HOBLI, KUNIGAL TALUK,
TUMAKURU DISTRICT - 572 126.

9. SMT. VIJAYAMMA,
DAUGHTER OF LATE MAHADEVAIAH,
AGED ABOUT 50 YEARS, RESIDING AT
HOODAGHATTA VILLAGE,
HUTHRIDURGA HOBLI, KUNIGAL TALUK,
TUMAKURU DISTRICT - 572 126.

10. SRI. RAVISHANKARAIAH,
SON OF LATE MAHADEVAIAH,
AGED ABOUT 57 YEARS,
RESIDING AT HOODAGHATTA VILLAGE,
HUTHRIDURGA HOBLI, KUNIGAL TALUK,
TUMAKURU DISTRICT - 572 126.

11. SRI.GANGANNA,
SON OF LATE MAHADEVAIAH,
AGED ABOUT 48 YEARS,
RESIDING AT HOODAGHATTA VILLAGE,
HUTHRIDURGA HOBLI, KUNIGAL TALUK,
TUMAKURU DISTRICT - 572 126.

…RESPONDENTS

(BY SRI. ADITYA DIWAKARA, AGA FOR R-1 TO 5.

SRI. MANJUNATH.T.G., ADVOCATE FOR R6 TO R11)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE IMPUGNED ORDER DATED 09.04.2026 PASSED BY RESPONDENT NO.2 IN PRA.BHU.JO.NI.REVISION(TU): 119/2025 AS PER ANNEXURE-A, BY ALLOWING THE WRIT PETITION.

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

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

ORAL ORDER

1. Heard the learned counsel for the parties.

2. In this writ petition, the petitioners are assailing the order dated 09.04.2026 (Annexure-'A') passed by respondent No.2.

3. Sri.Punith.C, learned counsel appearing for the petitioners submitted that the order dated 14.11.2024 passed by respondent No.3 at Annexure-'C' is just and proper. However, the same has been interfered with by respondent No.2. Learned counsel further contended that as the original Hissa was conducted 85 years ago and same has been interfered with by respondent No.2 by allowing the appeal preferred by the

private respondents herein. Accordingly, sought for interference of this Court.

4. Per contra, learned counsel appearing for respondent Nos.6 to 11 sought to justify the impugned orders.

5. The learned AGA appearing for respondent Nos.1 to 5 submits that the writ petition may be disposed of.

6. In the light of the submissions made by the learned counsel appearing for the parties and on careful consideration of the same, it would indicate that the private respondents herein are claiming rights over the property on the basis of a registered sale deed executed during the year 1953-54.

7. It is also forthcoming from the findings recorded by respondent No.3 that the original phodi proceedings in respect of the subject land were conducted about 85 years ago. Accordingly, respondent No.3 rejected the claim made by the private respondents herein.

8. Taking into consideration the impugned order at Annexure-'A', it shows that respondent No.2, while allowing the

appeal, remitted the matter to respondent No.3 for reconsideration.

9. However, the reasons assigned by respondent No.3 in the order dated 14.11.2024 (Annexure-'C') would indicate that the original phodi proceedings in respect of the subject land were conducted about 85 years ago. Taking into consideration the reasons assigned by respondent No.3, I am of the considered view that respondent No.2 ought not to have interfered with the well-reasoned order dated 14.11.2024 (Annexure-'C') passed by respondent No.3.

10. Accordingly, I pass the following:

ORDER

i. The writ petition is ***allowed***.

ii. The order dated 09.04.2026 (Annexure-'A') passed by respondent No.2 is accordingly set aside and the order dated 14.11.2024 (Annexure-'C') passed by respondent No.3 is hereby confirmed.

iii. Pending interlocutory applications, if any, stand disposed of.

SD/-
(E.S.INDIRESH)
JUDGE

VMB
List No.: 1 Sl No.: 21