IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

WRIT PETITION NO.25735 OF 2024
C/W
WRIT PETITION NO.960 OF 2025,
WRIT PETITION NO.24418 OF 2025

IN W.P. NO.25735 OF 2024:

BETWEEN:

SRI. B.P. MAHENDRA
SON OF LATE SRI. B.M. PUTTASWAMY,
AGED ABOUT 59 YEARS,
RESIDING AT NO.32,
LAKSHMAN MODALIAR STREET,
BANGALORE-560001.

... PETITIONER

(BY SRI. ASHOK HARANAHALLI, SENIOR ADVOCATE AND
SRI. VIKRAM S. HUILGOL, SENIOR ADVOCATE FOR
SRI. SAMMITH S., ADVOCATE)

K M SOMASHEKAR
Digitally Signed by K M SOMASHEKAR
Location: HIGH COURT OF KARNATAKA

AND:

1. STATE OF KARNATAKA,
REPRESENTED BY ITS
PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
VIKASA SOUDHA,
DR. B.R. AMBEDKAR VEEDI,
BENGALURU-560001.

2. THE ASSISTANT COMMISSIONER,
2ND FLOOR, KANDAYA BHAVAN,
BANGALURU NORTH SUB-DIVISION,
KG ROAD, BENGALURU-04.

3. RAJYA VOKKALIGARA SANGHA,
HAVING ITS REGISTERED OFFICE
AT NO.148, KRISHNARAJENDRA ROAD,
V.V. PURAM, BENGALURU-560004,
BY ITS ADMINISTRATOR.

4. KRISHNAPPA RANGAMMA EDUCATION
TRUST, UNDER THE TRUSTEESHIP OF
VOKKALIGARA SANGHA,
VV PURAM, BENGALURU-560004,
REPRESENTED BY ITS
ADMINISTRATOR OF
3RD RESPONDENT.

… RESPONDENTS

(BY SMT. SPOORTHI V., HCGP FOR R1 AND R2;
SRI. C.N. KESHAVAMURTHY, ADVOCATE FOR R3;
SRI. SRINIVASA RAGHAVAN V., SENIOR ADVOCATE FOR
SMT. NAYANATARA B.G., SMT. KUSUMA S.,
SRI. V. KARTHI K., ADVOCATES FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR RECORDS FROM THE FILE OF THE 2ND RESPONDENT IN RA (BN) 118 OF 2021 FOR PERUSAL; GRANT AN ORDER, WRIT OR DIRECTION IN THE NATURE OF CERTIORARI QUASHING THE INTERIM ORDERS DATED 26.03.2021 AND 30.01.2024 PASSED BY THE 2ND RESPONDENT IN RA (BN) 118 OF 2021 AS CONTAINED IN ANNEXURE-T; GRANT AN ORDER, WRIT OR DIRECTION IN THE NATURE OF CERTIORARI QUASHING THE APPEAL NO.RA (BN) 118 OF 2021 ON THE FILE OF THE 2ND RESPONDENT ON THE GROUND OF RESJUDICATA AND THAT THE 2ND RESPONDENT HAS NO JURISDICTION TO ADJUDICATE UPON THE SUBJECT MATTER OF SAID APPEAL ON THE GROUND OF THE LAND IN QUESTION HAVING BEEN CONVERTED AS WELL AS THE LAYOUT PLAN APPROVED BY THE TOWN

PLANNING AUTHORITY (BENGALURU DEVELOPMENT AUTHORITY VIDE RESOLUTION NO.3.4.18/2023 DATED 20.03.2023 VIDE ANNEXURE-T; GRANT AN ORDER, WRIT OR DIRECTION IN THE NATURE OF MANDAMUS DIRECTING THE 2ND RESPONDENT TO EXPEDITIOUSLY DISPOSE OF THE APPEAL NO.RA (BN)118 OF 2021 VIDE ANNEXURE-T; GRANT SUCH OTHER ORDER, WRIT OR DIRECTION AS THIS HON'BLE MAY BE PLEASED TO GRANT IN THE FACTS AND CIRCUMSTANCES OF THE CASE, IN THE INTEREST OF JUSTICE AND EQUITY.

IN W.P. NO.960 OF 2025:

BETWEEN:

1. KRISHNAPPA RANGAMMA EDUCATION
TRUST, UNDER THE TRUSTEESHIP OF
VOKKALIGARA SANGHA,
V.V. PURAM, BANGALORE-560004,
BY ITS AUTHORIZED SIGNATORY,
ASHOKA H.N.
S/O H.G. NARASAPPA,
AGED ABOUT 48 YEARS.

2. RAJYA VOKKALIGARA SANGHA,
REGD. UNDER KARNATAKA
CO-OP SOCIETIES ACT,
HAVING ITS REGD. OFFICE AT NO.18
KRISHNARAJENDRA ROAD,
VISVESWARAPURAM,BANGALORE-560004,
BY ITS GENERAL SECRETARY,
T. KONAPPA REDDY S/O THIPPEREDDY A.,
AGED ABOUT 67 YEARS.

… PETITIONERS

(BY SRI. SRINIVASA RAGHAVAN V., SENIOR ADVOCATE FOR
SMT. NAYANATARA B.G., SMT. KUSUMA S.,
SRI. V. KARTHI K., ADVOCATE FOR P1;
SRI. D.R. RAVISHANKAR, SENIOR ADVOCATE FOR
SRI. S. SARAVANA, ADVOCATED FOR P2)

AND:

1. BANGALORE DEVELOPMENT AUTHORITY,
   T. CHOWDAIAH ROAD,
   BENGALURU-560020,
   REPT. BY ITS COMMISSIONER.

2. THE STATE OF KARNATAKA,
   BY ITS PRINCIPAL SECRETARY,
   DEPARTMENT OF REVENUE,
   VIDHANA SOUDHA,
   DR. B.R. AMBEDKAR VEEDHI,
   BANGALORE-560001.

3. THE ADDITIONAL CHIEF SECRETARY
   TO GOVERNMENT, HOUSING AND URBAN
   DEVELOPMENT DEPARTMENT,
   VIKASA SOUDHA,
   DR. B.R. AMBEDKAR VEEDHI,
   BENGALURU-560001.

4. DEPUTY COMMISSIONER,
   BENGALURU UBAN DISTRICT,
   KANDAYA BHAVAN, K.G. ROAD,
   BENGALURU-560009.

5. ASSISTANT COMMISSIONER,
   BENGALURU, KANDAYA BHAVAN,
   K.G. ROAD, BENGALURU-560009.

6. TAHSILDAR,
   BENGALURU,
   KANDAYA BHAVAN, K.G. ROAD,
   BENGALURU-560009.

7. B.P. MAHINDRA
S/O LATE SRI. B.M. PUTTASWAMY,
AGED ABOUT 59 YEARS,
RESIDING AT NO.32,
LAKSHMAN MUDALIAR STREET,
BENGALURU-560001.

8. SMT. LEELA RAMACHANDRA
D/O LATE B.M. PUTTASWAMY,
AGED MAJOR,

9. SMT. PREMA VENKATESH HEGDE,
D/O LATE B.M. PUTTASWAMY,
AGED MAJOR,

RESPONDENTS NOS.7 TO 9
RESIDING AT NO.32,
LAKSHMAN MUDALIAR STREET,
BENGALURU-560001.

... RESPONDENTS

(BY SRI. MURUGESH V. CHARATI, ADVOCATE FOR R1
SMT. SPOORTHI V., HCGP FOR R2 TO R6;
SRI. ASHOK HARANAHALLI, SENIOR ADVOCATE AND
SRI. VIKRAM S. HUILGOL, SENIOR ADVOCATE FOR
SRI. SAMMITH S. AND SRI. MANJUNATH, ADVOCATE
FOR R7 AND R8;
SRI. R.S. RAVI, SENIOR ADVOCATE FOR SRI. K.V. MANJUNATH
AND SRI. K.M. LOKESH, ADVOCATE FOR R9)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI TO QUASH RESOLUTION OF 1ST BDA IN NO.3.3.2018/2023 DATED 28.03.2023 SANCTIONING THE LAYOUT PLAN AS PER ANNEXURE-J AND CONSEQUENTIAL OF THE WORK ORDER

DATED 21.12.2024 AS PER ANNEXURE–K IN FAVOUR OF PRIVATE RESPONDENT NO.7 TO 9 IRRESPECT OF SCHEDULED PROPERTY; DIRECT THE ENTRIES IN RESPECT OF SCHEDULE PROPERTY TO BE RESTORED IN THE NAME OF RANGAMMA AS DIRECTED IN THE ORDERS DATED 30.11.2010 OF THE DIVISION BENCH OF THIS HON'BLE COURT IN W.A. NOS.3253-54/2010, AS PER ANNEXURE-C AND PASS SUCH OTHER ORDERS AS THIS HON'BLE COURT MAY DEEM APPROPRIATE IN THE ENDS OF JUSTICE AND EQUITY.

IN W.P. NO.24418 OF 2025:

BETWEEN:

1. SRI. B.P. MAHENDRA
SON OF LATE SRI B.M. PUTTASWAMY,
AGED ABOUT 59 YEARS,
RESIDING AT NO.32,
LAKSHMAN MODALIAR STREET,
BANGALORE-560011.

2. SMT. LEELA RAMACHANDRA
D/O LATE SRI. B.M. PUTTASWAMY,
W/O DR. H.G. RAMACHANDRA,
AGED ABOUT 79 YEARS,
(SENIOR CITIZEN BENEFIT NOT CLAIMED),
R/AT: LAKSHMAN MODALIAR STREET,
BANGALORE-560001,
REPRESENTED BY HER GPA HOLDER,
B.P. MAHENDRA.

… PETITIONERS

(BY SRI. ASHOK HARANAHALLI, SENIOR ADVOCATE AND
SRI. VIKRAM S. HUILGOL, SENIOR ADVOCATE FOR
SRI. SAMMITH S., AND SRI. MANJUNATH,
ADVOCATES)

AND:

1. STATE OF KARNATAKA,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
VIKASA SOUDHA,
DR. B.R. AMBEDKAR VEEDI,
BENGALURU-560001.

2. REGIONAL COMMISSIONER,
OFFICE OF THE REGIONAL COMMISSIONER,
BENGALURU DIVISION,
REVENUE DEPARTMENT AND NODAL OFFICER,
EX-OFFICIO SECRETARY (FINANCIAL CRIMES),
2ND FLOOR, BMTC BUILDING,
K.H. ROAD, SHANTI NAGAR,
BENGALURU-560027.

3. DEPUTY COMMISSIONER,
BENGALURU URBAN DISTRICT,
KEMPEGOWDA ROAD
BEHIND KANDAYA BHAVANA,
BENGALURU URBAN DISTRICT,
BENGALURU-560009.

4. THE ASSISTANT COMMISSIONER,
2ND FLOOR, KANDAYA BHAVAN,
BENGALURU, NORTH SUB-DIVISION,
KG ROAD, BENGALURU-560009.

5. KRISHNAPPA RANGAMMA EDUCATION TRUST,
AN ALLEGED TRUST,
ALLEGEDLY UNDER THE TRUSTEESHIP OF
VOKKALIGARA SANGHA, VV PURAM,
BENGALURU-560004.

6. RAJYA VOKKALIGARA SANGHA,
HAVING ITS REGISTERED OFFICE AT NO.148,
KRISHNARAJENDRA ROAD, VV PURAM,
BENGALURU-560004.

… RESPONDENTS

(BY SMT. SPOORTHI V., HCGP FOR R1 TO R4;
SRI. SRINIVAS RAGHAVAN V., SENIOR ADVOCATE FOR
SMT. NAYANATARA B.G., SMT. KUSUMA S.,
SRI. V. KARTHI K., ADVOCATE FOR R5;
SRI. C.N. KESHAVAMURTHY, ADVOCATE FOR R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO GRANT AN ORDER, DIRECTION OR WRIT IN THE NATURE OF CERTIORARI QUASHING THE IMPUGNED LETTER BEARING NO.ಸಂ.ಪ್ರಾ.ಆ.ಕ.ಆರ್.ಆರ್.ಟಿ./ಸಿಆರ್/221/2023–24 DATED 31/07/2025 PASSED BY RESPONDENT NO.2 AS CONTAINED IN ANNEXURE-A INSOFAR PETITIONERS CONCERNED; GRANT AN ORDER, DIRECTION OR WRIT IN THE NATURE OF CERTIORARI QUASHING THE MUTATION ENTRY BEARING MR NO.T2/2025-26 DATED 02/08/2025 AS CONTAINED IN ANNEXURE-AY INSOFAR AS PETITIONERS CONCERNED; GRANT AN ORDER, DIRECTION OR WRIT IN THE NATURE OF MANDAMUS DIRECTING RESPONDENT NOS.2 AND 3 TO FORTHWITH RESTORE THE REVENUE ENTRIES IN RESPECT OF SURVEY NO.15, SAJJEPALYA VILLAGE, YESHWANTHPUR HOBLI, BANGALORE NORTH TALUK IN THE NAME OF PETITIONERS, AS THEY STOOD PRIOR TO THE IMPUGNED ORDER DATED 31/07/2025 INSOFAR AS PETITIONERS CONCERNED; GRANT SUCH OTHER ORDER, WRIT OR DIRECTION AS THIS HON'BLE MAY BE PLEASED TO GRANT IN THE FACTS AND CIRCUMSTANCES OF THE CASE, IN THE INTEREST OF JUSTICE AND EQUITY.

THESE PETITIONS HAVING BEEN HEARD AND RESERVED FOR ORDERS ON 28.08.2026 AND COMING ON FOR PRONOUNCEMENT OF ORDERS THROUGH PHYSICAL HEARING/VIDEO CONFERENCING, THIS DAY, THE COURT MADE THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE M.I.ARUN

CAV ORDER

The lis pertains to, who amongst the contesting parties has a right to manage the properties which are the subject matter of the writ petitions, situated in Sy.No.15, Sajjepalya Village (also referred to as 'Gejje Palya' in some of the documents), Srigandadakavalu Dakkale, Yeshwantpur Village, Bangalore North Taluk, as per the Will of one late Smt. Rangamma, wife of late Sri Krishnappa.

2. The properties which are the subject matter of the writ petitions, as well as several other properties, were owned by late Smt Rangamma.

3. She executed a Will on 15.03.1962, wherein she appointed one Sri. B.M.Puttaswamy as the Executor and directed him to do the following in respect of the properties:

> *"(c) I hereby device and bequeath that all the landed property owned by me except the house bequeathed in (a) supra, shall be sold by the Executor appointed under this WILL. He shall invest*

or deal with the sale amounts in a proper manner and, if invested from the realizations of either rent or interest of the said amounts, he shall perpetuate the name and memory of my deceased husband"

4. Subsequent to the execution of the Will, the said Smt. Rangamma died. Thereafter, on 19.10.1978, Sri. B.M.Puttaswamy executed a Deed of Trust in respect of the property concerned, wherein the nomenclature of the parties concerned is mentioned as under:

"THIS DEED OF TRUST made and executed on the Nineteenth of October, One thousand nine hundred Seventy eight (19-10-1978) by

Sri B.M. Puttaswamy, S/o Sri B.C. Mariswamappa, aged about 65 years, residing at the Schedule Property and also having a house at No.32, Lakshman Mudaliar Street, Bangalore-560001 of the ONE PART hereinafter called the DONOR and

the Vokkaligara Sangha,
Krishna Rajendra Road,
Visweswarapuram, Bangalore- 560 004;

a Society registered under the Societies Registration Act by its President Sri K.R. MARUDEVA GOWDA, I.A.S. (Retd.) and its

General Secretary GUTHALA GOWDA (Retired) Assistant Director of Industries and Commerce, hereinafter called the SANGHA of the OTHER PART,

WITNESSES AS FOLLOWS:-"

5. Further, with regard to management of the properties, the Trust Deed reads as under:

"7. The Donor does hereby grant convey transfer assign' and assure to the Sangha, absolutely all his right, title and interest in the schedule property and deliver possession of the same to the Sangha as Trustee, represented by its President and General Secretary to HAVE and to HOLD the same in Trust, for the realisation and fulfilment of the objectives of the Donor and subject to the terms and conditions hereby stipulated and the Sangha has received and taken possession of the Schedule property and from the Donor under these terms and conditions as Trustee. The Power of Attorney executed by the Donor in favour of Sri Syed Abdulla for conducting the cases is hereby revoked. The Donor has not conferred any other powers on any one in respect of this schedule property.

i) The Sangha shall by itself and/or through its agents and servants preserve, manage and deal with the TRUST PROPERTY and shall put the property or the income derived from the property for the realisation and fulfilment of the objectives of the Donor in the following manner.

ii) Not less than FIFTY PERCENT of the income from the schedule property and the activities of the Trust shall be set apart for constructing buildings and structures of a permanent nature requires to be built on the schedule property for the cause of education and spread of knowledge.

iii) The remainder of the income after defraying the absolutely necessary expenses towards taxes, up-keep and management of the property shall be utilised for the realisation and fulfilment of the objectives of the Donor in any manner including the grant of scholarships and other facilities for educating the deserving students of the area around the schedule property.

iv) The Executive Committee of the Sangha shall constitute a Committee of Management, once every three (3) years, consisting of not more than fifteen (15) and not less than twelve (12) Members nominated by the Executive Committee of the Sangha. Not less than two thirds (2/3rds) shall be

from among the elected members of the Executive Committee of the Sangha. The Donor or his nominee Sri Balakrishna, Son of Sri Lakshman and Dr. M.K. Venkatesh Hegde, son-in-law of the Donor shall also be members of this Committee. After the life time of the Donor, his son Sri Mahendra or his nominee, shall be a member of this Committee and this arrangement shall continue in favour of the first of the son's legal representatives in perpetuity.

v) The decisions of the Committee of Management shall be placed before the Executive Committee of the Sangha periodically for its approval.

vi) The income and expenditure and all accounts relating to the Management and utilisation of the schedule property and all the activities carried on, on the schedule property or from the funds derived therefrom shall be maintained separately and independently of all other activities of the Sangha and shall on no account be mixed up with the other funds and Accounts of the Sangha. The Committee of Management shall report and render Accounts to the Sangha and thereafter to the Donor once every year.

vii) For the purposes of law this Deed shall be construed as creating expressly, a Trust for Public purposes of a Charitable nature to commemorate

the name of the Donor's uncle and Aunt, by dedicating the schedule property for the cause of education and spread of knowledge. The Trust property shall be described as KRISHNAPPA RANGAMMA EDUCATION TRUST under the Trusteeship of VOKKALIGARA SANGHA, Bangalore and all its activities shall be carried on, in the said name.

viii) The Sangha or Committee of Management shall not sell the property for any purpose. It shall be competent for them to mortgage or lease portion of the property for the purpose of raising funds which shall be utilised in accordance with these terms and, conditions.

ix) The Sangha shall take all steps necessary, to get the Khata transferred to its name as TRUSTEE and get itself impleaded in the place of the Donor in all proceedings relating to the Schedule Property.

x) The Donor hereby relinquishes all his right, title and interest in the Schedule property in favour of the Sangha and hereby relinquishes all powers to revoke or modify this Deed."

However, the Trust Deed was not given effect to, as the lands which are part of the Trust Deed are 'agricultural

lands' under Section 2(18) of the Karnataka Land Reforms Act, 1961 (hereinafter referred to as 'the Act', for short) and were subjected to proceedings under the said Act.

6. Section 74 of the Act pertains to prohibition of alienation of holding and Section 66 of the Act pertains to filing of declaration of holding.

7. Section 74 of the Act reads as under:

> ***"74. Prohibition of alienation of holding.—****On and from the date of commencement of the Amendment Act, no person owning land in excess of the ceiling limit specified in Section 63 or 64 shall alienate his holding or any part thereof by way of sale, gift, exchange or otherwise until he has furnished a declaration under section 66 and the extent of land, if any, to be surrendered in respect of that holding has been determined and an order has been passed under Section 67, and any alienation made in contravention of this section shall be null and void."*

8. Admittedly, the lands which are the subject matter of the Writ Petitions could not have been alienated

by Sri B.M.puttaswamy by way of a Trust Deed dated 19.10.1978 in the light of Section 74 of the Act. In fact, in a proceeding before the Land Tribunal, Bangalore North Taluk, in Case No.LRF.1477/74-75, the Land Tribunal has observed that, Sri. B.M.Puttaswamy had no authority/right to create a Trust in respect of the lands concerned. Thereafter, however, the instant properties have been left out of the proceedings under the Act.

9. As the Trust Deed was not acted upon or given effect to, Sri. B.M.Puttaswamy executed a Will dated 05.01.1985 appointing his son Sri B.P.Mahendra as his successor/administrator in respect of the properties concerned. The relevant portion of the Will reads as under:

> *"My family consists of my wife, a son and two daughters, I hereby bequeath and appoint my only son Sri. B.P.Mahendra, aged about 23 years, as my successor/administrator to all the landed properties situated at Sajjepalya and Malagal, Yeshawanthapura Hobli, Bangalore North Taluk, for proper administration of the estate of Smt. Rangamma, as per her wishes.*

I sincerely hope that my son Sri. B.P.Mahendra, will administer the estate of Smt. Rangamma, in a proper and efficient manner by perpetuating the name and memory of Krishnappa Husband of Smt.Rangamma."

10. Subsequently thereafter, a dispute has arisen as to whether the Vokkaligara Sangha and the Trust called Krishnappa Rangamma Education Trust constituted under the Trusteeship of Vokkaligara Sangha are entitled to manage the properties on the terms as mentioned in the Will of late Smt. Rangamma by virtue of the Trust Deed dated 19.10.1978 OR Sri B.P.Mahendra is entitled to do the same by virtue of the Will dated 05.01.1985 by late Sri B.M.Puttaswamy.

11. In this regard, Vokkaligara Sangha filed O.S. No.5796/2001 making wife and children of Sri B.M.Puttaswamy, including Sri B.P.Mahendra as defendants. The prayer in the suit reads as under:

"The Plaintiff prays that this hon'ble Court be pleased to pass decree declaring that the plaintiff are owners in possession of the suit schedule–A

property, and to declare there right, title and interest to receive compensation in respect of suit schedule–B propertis awarded to the tenants by the Land tribunal, and also further pass a decree of permanent injunction restraining the defendants from interfering with the peaceful possession and enjoyment of the suit ***schedule–A*** *property by the plaintiff, and from alienating the same and attempting to receive compensation from the Tahsildar in respect of* ***suit schedule–B*** *properties in the interest of justices and*

Grant such other or further relief as this Hon'ble Court deems fit including costs of this suit"

The plaint filed by Vokkaligara Sangha came to be rejected in the aforementioned suit in view of the provisions of the Act.

12. The Trial Court, while rejecting the plaint, has observed as under:

"It has to be again noted that B.M.Puttaswamy/executor, could not have handed over possession to the plaintiff Sangha in 1978 as the K.L.R.Act had already come into force on 2-1-65 and the Amendment Act came in to force on 1-3-74. By virtue of Section 44 of the tenanted lands

absolutely vested in the State Government. The plaintiff has failed both before the Land Tribunal and in the writ petition filed before the Hon'ble High Court to establish its right. The plaintiff has not shown any exemption obtained under Section 109(1), 1A of the K.L.R.Act. Besides, no permission as obtained under proviso to Section 80(1) of the K.R.Act is produced by the plaintiff. The case of the plaintiff is clearly hit by Section 79-B-1, 79B(3). In addition to that, Section 77 provides for the disposal of the surplus land under the K.L.R.Act. All these provisions come in the way of the plaintiff's case.

It may again be noted that a plain reading of the trust deed shows that the tenancy and pending tenancy have been admitted and the trust deed was rather a contingent trust deed. It also appears that the author of the trust had no competency to create the trust in respect of lands in question as Sy.No.15, 8, 9, 10 and 13 were not in his hands.…"

"With regard to Sy.No.15, again it has to be stated that the land became vested in the State Government on 1-3-74 absolutely free from all encumbrances. Even if the Tribunal has rejected the claim for occupancy rights, Section 77 of the K.L.R.Act comes in to picture. The plaintiff's claim is virtually against the property vested in the State Government and not in his hands. The question,

whether Sy.No.15 was an agricultural land or otherwise, cannot be tested by this Court, in view of Section 133 of the K.L.R.Act. The plaintiff has also not shown that he has complied with the contents of the trust deed nor he has obtained a probate from the Court of competent jurisdiction. On the plaintiff's own showing upto 1999-2000 the plaintiff could not take steps to secure the land in question. No material is produced by the plaintiff to show his lawful and legal possession on 19-10-78 or till recently The B.D.A's permission to form a layout and consequential W.P. No.2870/89 as objector to the sanction of layout will not prove the plaintiff's case as pleaded in the petition. Thus the plaintiff has not made out any prima facie case much less the balance of convenience and sufferance of loss and irreparable loss in his favour. The suit at the very inception itself, is not maintainable in view of the Special provisions under the K.L.R.Act. For the foregoing reasons, I.A. I is liable to be rejected and the plaint is also liable to be rejected."

13. Against the order passed in O.S. No.5796/2001, Vokkaligara Sangha preferred RFA No.313/2002 and the defendants in the original suit preferred RFA Crobs.14, 15/2002. During the pendency of the appeal,

the parties arrived at a compromise and the matter was remanded to the Trial Court with a direction to examine, whether a compromise can be given effect to. As per the terms of the compromise, the Vokkaligara Sangha got a right only in respect of 6 acres 20 guntas of land. Thereafter, the Trial Court based on the application filed by the parties to dispose of the suit in terms of the compromise has passed the following order:

> *"4. I have perused the terms of the compromise petition. To my mind it is clear that the defendants have come forward to offer 6-1/2 guntas of land to Vokkaligara Sangha and the Sangha is the beneficiary under the compromise petition. When the property goes to a registered Sangha and not the individual members or individual Executive Committee members of the Sangha, I do not see any reason to reject the compromise petition. I am satisfied that the compromise entered lawfully. Under the amended Order 23 Rule 3 of CPC, the scope of the compromise petition is also widened. For these reasons, I pass the following:*
>
> ***Order***
>
> *I.A. No.6 is allowed.*

Draw decree in terms of the compromise petition in favour of the plaintiff upon payment of appropriate Court fee.

Parties to bear their own costs.

Consign the record."

14. Aggrieved by the compromise entered into between the parties in O.S. No.5796/2001, one of the members of Vokkaligara Sangha named Dr. Appaji Gowda challenged the compromise petition in RFA No.965/2004 before this court, making the parties to the original suit as respondents.

15. In the aforementioned appeal, this Court came to the conclusion that the appellant therein does not have any locus standi to challenge the compromise entered into between the parties in the original suit. However, taking into consideration that a procedural error was committed by the Trial Court in not stipulating the court fee, this Court dismissed the appeal but directed that the parties in the original suit to appear before the Trial Court, and that the Trial Court shall proceed to determine the appropriate

court fee and fix a time limit for payment of the same. The relevant portion of the judgment reads as under:

> *"10. It is not the plea of the appellant that the respondent no.1 had without the consent of approval of the Managing Committee entered into this compromise agreement. What terms or compromise shall be stipulated in a suit is left to the parties and I do not find that the respondent no.1 was in any way misled or that the Managing Committee had not consented to the terms. Merely because one of the members of the association does not agree with the administration or any decision taken by the Managing committee, he does not get any right to challenge the compromise entered into by such association. In that view of the matter, I do not find that the appellant has any locus-standi to challenge the compromise entered into by the respondent no.1 with the respondent nos. 2 to 4.*
>
> *11. Now before dismissing of this appeal, an important matter has come to the notice of this Court. The learned trial Judge has ordered that a decree be drawn in terms of compromise petition in favour of the plaintiff upon payment appropriate court fee. Though that order was passed on 26.3.04, until now no decree has been drawn in*

view of the fact that no time limit had been fixed by the learned trial Judge for payment of Court fee and the plaintiff has not paid the appropriate court fee.

12. Sri. G.Gangi Reddy, learned Counsel representing the plaintiff in the trial Court submits that in fact that particular portion of the compromise judgment was not agreed to by the plaintiff and that the plaintiff intends to challenge that portion of the judgment. He is at liberty to do so, if the law permits it. But it was not proper on the part of the trial Court to have left the matter of paying Court fee at the wish of the plaintiff. It is also seen that what court fee should be paid has not been stipulated by the trial Court.

13. For the above said reasons, the appeal is dismissed with no order as to costs. The respondents are directed to appear before the trial Court on 26.7.06, on which date, the trial Court shall proceed to determine the appropriate court fee and fix up the time limit for payment of the same."

16. Thereafter, the trial court passed the necessary directions and directed the Vokkaligara Sangha to pay the necessary court fee. However, the Vokkaligara Sangha

never paid the said court fee. Hence, no decree has been drawn in the said original suit.

17. Aggrieved by the order passed in RFA No.965/2004, Dr. Appaji Gowda preferred Special Leave Petition (Civil) No.21661/2006.

18. The Hon'ble Apex Court disposed of the abovementioned Special Leave Petition by observing as under:

> *"30. However, in our opinion, it is not necessary to go into the aforementioned question as the suit filed by respondent No.1 has been dismissed for non-payment of court fee. No decree has thus been drawn up incorporating the terms of settlement entered into by and between respondent No.1 on one hand and respondent Nos. 2 to 4 on the other.*
>
> *31. There cannot, however, be any doubt whatsoever that in the event a case is made out as regards mal-administration of the Trust or otherwise appropriate remedies can be availed. An originating summons can be taken out, if otherwise it is permissible in law before the Original Side of the High Court.*

32. We, however, must also place on record that we have also not applied our mind as to whether the order of the Land Tribunal has attained finality and whether the Land Tribunal had any jurisdiction to deal with the question of interpretation of the Original Will and/or the execution of the subsequent Trust Deed creating respondent No.1.

33. We would also place on record that it is also not necessary for us to consider the effect of withdrawal of Writ Petition Nos.30742 of 1998 and 28703 of 1999 at this stage."

19. Thereafter, on the ground that RTC in respect of the land concerned was changed, Sri. B.P. Mahendra preferred Writ Petition Nos.17575-17576/2010 with a prayer to set aside the orders passed by the authorities and restore RTC, mutation and other revenue records in respect of the lands concerned to his name. The said writ petition came to be dismissed. Aggrieved by the same, Writ Appeal Nos.3253-54/2010 has been filed by Sri B.P.Mahendra, and the following order has been passed:

"a) The appeals are allowed.

b) The impugned orders passed by the learned single Judge, the Deputy Commissioner and all other orders are hereby set aside.

c) The mutation entries made in pursuance of the impugned orders is also consequently quashed.

d) Even the mutation entries made in the name of the appellant and his family members prior to the impugned orders are also hereby quashed.

e) The revenue authorities shall enter the name of Smt.Rangamma, deceased, in the column meant for kathedhar.

f) Only after a competent Civil Court finally decides the rights of the parties, the revenue authorities shall bring mutation entries in conformity with the order of the Civil Court.

g) It is made clear both the competing parties are at liberty to initiate or defend appropriate action to protect the property on behalf of the estate of Smt. Rangamma without claiming any proprietary rights until the Civil Court decides their rights.

h) However, this authorisation given under this Order will not enable them to meddle with the property and they shall maintain status quo as on today."

20. Aggrieved by the order passed in the aforementioned writ appeal, Sri B.P.Mahendra preferred SLP (Civil) Nos.8729-8730/2011, wherein the Apex Court has passed the following order:

> *"Having heard learned counsel for the respective parties at the stage of issuance of notice, we are not inclined to entertain the Special Leave Petitions or to interfere with the directions given by the High Court in the impugned judgment and order. However, as has been pointed out by Mr. Sundaram, learned senior advocate appearing for the petitioner, while giving the remaining directions, the High Court did not indicate as to how the estate of Smt. Rangamma, was to be administered in the interregnum. It was submitted that except for the direction given in clause (g), wherein it has been indicated that both the competing parties would be at liberty to initiate or defend appropriate action to protect the property on behalf of the estate of Smt. Rangamma, without claiming any proprietary rights until the civil court decided their rights, and, as indicated in clause (h), they would also maintain status quo as on the date of the order, nothing else has been indicated regarding the management of the Estate.*

Having regard to the above, we make it clear that the said order directing parties to the maintain status quo will not prevent the parties from praying for interim directions/interim orders for the purpose of protection and management of the estate of Smt. Rangamma in any action that may be brought by them regarding the management of the Estate and the order of status quo will not stand in the way of the court making such orders. In fact, the order of status quo would be operative till any other or further order is made by the appropriate court. It is also made clear that if any proceedings are initiated as aforesaid, the same shall be heard and disposed of without being influenced by any of the observations made by the High Court.

The Special Leave Petitions are disposed of with the above observations"

21. By virtue of the said order, it has to be construed that the High Court in Writ Appeal Nos.3253-3254/2010 did not indicate as to how the properties concerned has to be administered. That the order of status quo will not prevent the parties from praying for the required directions from the jurisdictional courts for the purpose of managing the property and that the order of

status quo passed in W.A. Nos.3253-3254/2010 would be operating only till any further order is made out by the appropriate courts and that the appropriate courts shall hear and dispose of the matters without being influenced by any of the observations made in Writ Appeal Nos.3253-3254/2010. It has to be noted that the lis in Writ Appeal Nos.3253-3254/2010 did not concern about determining ownership of the property.

22. In the meanwhile, the Trial Court in O.S. No.5796/2001, on the ground of non-payment of court fee as directed, again rejected the plaint on 30.06.2006. Aggrieved by the same, Vokkaligara Sangha preferred RFA No.996/2009 before a Division Bench of this Court. The same was disposed of on 13.06.2017 and the court had the knowledge of the proceedings in Writ Appeal Nos.3253-3254/2010 and S.L.P (Civil) Nos.8729-8730/2011. Taking into consideration the orders passed by the Apex Court in the special leave petition and also the facts and circumstances of the case, this Court in RFA

No.996/2009, has dismissed the same by making the following observations:

> *"16. We are unable to accept his contentions inasmuch as the order dated March 26, 2004, was impugned in Regular First Appeal No.965 of 2004 by a third party and the appeal was dismissed. The matter went up to the Supreme Court of India. The Supreme Court of India, also, did not upset the said order dated March 26, 2004. Liberty was, only, reserved to the party aggrieved to seek for appropriate remedies, in case of mal-administration of the Trust properties.*
>
> *17. The compromise was filed in the High Court on December 18, 2003 and, ultimately, the compromise was recorded on March 26, 2004. During the said period, the plaintiff-appellant never raised any dispute as to the compromise and we feel that it is not possible for the plaintiff to challenge the compromise in this appeal against the order of rejection of the plaint for non-payment of Court-fees in terms of the order dated August 24, 2006. No explanation is offered by him as to why the court-fees could not be paid by him.*
>
> *18. Proviso to Order XXIII, Rule 3 of the Code of Civil Procedure, 1908, contemplates that when it has been alleged by one party and denied by the*

other that an adjustment or satisfaction has been arrived at, the Court would decide the question immediately. This opportunity was never availed of by the appellant. The compromise petition was accepted by a detailed order on March 26, 2004, which has been upheld by this Court by the judgment and order dated July 7, 2006, in an appeal by a third party. The plaintiff never challenged the said order dated March 26, 2004. The Supreme Court of India did not set aside the order recording the compromise. Therefore, it was expected that this plaintiff-appellant would pay the court-fees in terms of the order recording the compromise. The plaintiff did not appear before the Court nor explained as to why court-fees could not be paid. Naturally, the trial Court rejected the plaint for non-payment of court-fees.

19. We do not find any merit in the appeal.

20. The appeal is dismissed."

23. The Vokkaligara Sangha challenged the order passed in RFA No.996/2009 by way of Special Leave Petition (Civil) No.29340/2017 which has been dismissed as withdrawn.

24. Thereafter, Vokkaligara Sangha preferred R.P. No.636/2017 seeking review of the order passed in RFA No.996/2009 which also came to be dismissed.

25. Against the order in the said Review Petition No.636/2017, Vokkaligara Sangha preferred Special Leave Petition (Civil) No.28519/2020 which also came to be dismissed.

26. Thus, the cumulative effect of the aforementioned judgments are that:

(i) The judgments passed by this Court as well as the Apex Court subsequent to passing of the orders in W.A. No.3253-3254/2010 has the effect of deciding the rights of the concerned parties in respect of the properties in question and therefore, the directions issued in W.A. No.3253-3254/2010 stand altered.

(ii) The plaint filed by Vokkaligara Sangha in O.S. No.5796/2001 praying for a declaration that they are the owners of the property and for possession of the

property has been rejected, meaning that the Vokkaligara Sangha or Krishnappa Rangamma Education Trust created under the trusteeship of Vokkaligara Sangha does not have any right, title or interest over the properties concerned or to manage the affairs of the property, as claimed by them by virtue of the Trust Deed dated 19.10.1978.

(iii) Thereafter, the Vokkaligara Sangha preferred an appeal and during the pendency of the appeal, the parties entered into a compromise wherein the Vokkaligara Sangha sought rights over the property only to an extent of 6 acres 20 guntas of land and the compromise was decreed. However, a decree was not drawn conferring rights in favour of the Vokkaligara Sangha in respect of the said 6 acres 20 guntas of land because it did not pay the necessary court fee. Challenging the same, the Vokkaligara Sangha went up to the Apex Court and its request has been rejected. This rejection by this Court and the Apex

Court has taken place subsequent to passing of the order in Writ Appeal Nos.3253-3254/2010. Thereafter, the Vokkaligara Sangha has not instituted any suit before the civil court claiming a right in respect of the property. Under the said circumstances, on the strength of the Trust Deed dated 19.10.1978, which was a contingent contract and which was never given effect to, in the light of the provisions of the Karnataka Land Reforms Act, the Vokkaligara Sangha or Krishnappa Rangamma Education Trust created by virtue of the said Trust Deed does not get any right over the property concerned.

(iv) The orders passed in O.S. No.5796/2001 and the subsequent appeals before this Court and the Apex Court by the Vokkaligara Sangha has the effect of deciding its rights in respect of the properties concerned and it has to be noted that subsequent to compromise, the efforts of Vokkaligara Sangha in subsequent appeals to this Court as well as the Apex

Court was only in respect of 6 acres 20 guntas of land in the entire property, which also came to be rejected.

(v) Under the circumstances, it has to be held that Sri B.P.Mahendra gets a right to manage the affairs of the property and to sell the same and utilize the proceeds of the sale as per the terms of the Will of late Smt. Rangamma and on the strength of the Will of his late father Sri B.M.Puttaswamy, and that the other legal representatives/children of Sri B.M.Puttaswamy have no right over the same.

27. In the meanwhile, the property has been converted for residential purposes and a layout plan has been approved by the Bangalore Development Authority, in the name of Sri B.P.Mahendra and another person and a work order has been issued.

28. Further, the Regional Commissioner, Bangalore Division, Revenue Department has addressed a letter,

dated 31.07.2025, to the Deputy Commissioner, Bangalore Urban District directing him to implement the order passed in Writ Appeal Nos.3253-3254/2010, and hence, the mutation entry in respect of the lands concerned has been restored in the name of late Smt. Rangamma.

29. Further, the Vokkaligara Sangha and Krishnappa Rangamma Education Trust have preferred RA (BN) 118 of 2021 before the Assistant Commissioner, Bangalore North, under Section 136(2) of the Karnataka Land Revenue Act, 1964 seeking execution of order passed in W.A. Nos.3253-3254/2010 and an interim order has been passed as prayed for.

30. Aggrieved by the actions of the Assistant Commissioner in RA (BN) 118 of 2021 in passing the interim orders at the behest of Krishnappa Rangamma Education Trust and the Vokkaligara Sangha, W.P. No.25735/2024 has been filed by Sri B.P.Mahendra with the following prayers:

"a) call for records from the file of the 2nd Respondent in RA (BN) 118 of 2021 for perusal;

b) grant an order, writ or direction in the nature of CERTIORARI quashing the interim Orders dated 26.03.2021 and 30.01.2024 passed by the 2nd Respondent in RA (BN) 118 of 2021 as contained in ANNEXURE-T;

c) grant an order, writ or direction in the nature of CERTIORARI quashing the Appeal No.RA (BN) 118 of 2021 on the file of the 2nd Respondent on the ground of Resjudicata and that the 2nd Respondent has no jurisdiction to adjudicate upon the subject matter of said Appeal on the ground of the land in question having been converted as well as the Layout plan approved by the Town Planning Authority (Bengaluru Development Authority) vide Resolution No.3.4.18/2023 dated 20.03.2023 vide Annexure-T;

d) grant an order, writ or direction in the nature of MANDAMUS directing the 2nd Respondent to expeditiously dispose of the Appeal No.RA (BN)118 of 2021 vide Annexure-T;

e) grant such other order, writ or direction as this Hon'ble may be pleased to grant in the facts and

circumstances of the case, in the interest of justice and equity."

31. Aggrieved by the directions of the Regional Commissioner, Bangalore Division, Revenue Department, to the Deputy Commissioner, Bangalore Urban District, directing him to mutate the name of late Smt. Rangamma as per the orders passed in W.A. Nos.3253-3254/2010 and the consequential mutation of the same, Sri B.P.Mahendra and two other children of Sri B.M.Puttaswamy have preferred W.P. No.24418/2025 with the following prayers:

"a) Grant an order, direction or writ in the nature of Certiorari quashing the impugned letter bearing No.ಸಂ.ಪ್ರಾ.ಆ.ಕ.ಆರ್.ಆರ್.ಟಿ./ಸಿಆರ್/221/2023–24 dated 31/07/2025 passed by Respondent No.2 as contained in ANNEXURE-A insofar Petitioners concerned;

b) Grant an order, direction or writ in the nature of Certiorari quashing the mutation entry bearing MR No.T2/2025-26 dated 02/08/2025 as contained in ANNEXURE-AY insofar as petitioners concerned;

c) Grant an order, direction or writ in the nature of mandamus directing Respondent Nos.2 and 3 to

forthwith restore the revenue entries in respect of Survey No.15, Sajjepalya Village, Yeshwanthpur Hobli, Bangalore North Taluk in the name of Petitioners, as they stood prior to the impugned order dated 31/07/2025 insofar as petitioners concerned;

d) Grant such other order, writ or direction as this Hon'ble may be pleased to grant in the facts and circumstances of the case, in the interest of justice and equity."

32. Aggrieved by the decision of the Bangalore Development Authority in approving the layout plan as requested by Sri B.P.Mahendra and another, Krishnappa Rangamma Education Trust and Rajya Vokkaligara Sangha have preferred W.P. No.960/2025 with the following prayers:

"(a) Issue a Writ in the nature of certiorari to quash the Resolution of 1st respondent-BDA in No.3.3.2018/2023 dated 20.03.2023 sanctioning the layout plan as per Annexure-J and consequential work order dated 21.12.2024 produced as per

Annexure–L in favour of private respondent No.7 to 9 in respect of scheduled property;

(b) Direct the entries in respect of schedule property to be restored in the name of Rangamma as directed in the orders dated 30.11.2010 of the Division Bench of this Hon'ble Court in W.A. Nos.3253-54/2010, as per Annexure-C and

(c) Pass such other orders as this Hon'ble court may deem appropriate in the ends of justice and equity."

33. As already discussed above, the property belonged to late Smt. Rangamma. She appointed one Sri B.M. Puttaswamy as Executor and bequeathed the property with a direction to Sri B.M.Puttaswamy to utilize the properties or sell the same and to utilize the proceeds to perpetuate the name of her late husband. Thereafter, Sri B.M.Puttaswamy created a Trust Deed in favour of the Vokkaligara Sangha and Krishnappa Rangamma Education Trust came into existence by virtue of the said Trust Deed

under the trusteeship of Vokkaligara Sangha. However, the Trust Deed was never acted upon because the property could not have been transferred in favour of the Trust by virtue of the provisions of the Karnataka Land Reforms Act, 1961. Hence, Sri B.M.Puttaswamy executed a Will dated 05.01.1985 wherein he bequeathed the right of administration and utilization of the property including the right to sell, in favour of his son Sri B.P.Mahendra. The Vokkaligara Sangha acting on its behalf as well as the Krishnappa Rangamma Education Trust filed O.S. No.5796/2001 for declaration of title and possession of property, wherein the plaint came to be rejected which has been affirmed by the Apex Court. This affirmation by the Apex Court is subsequent to the orders passed by this Court in W.A. Nos.3253-3254/2010. Thus, under the circumstances, it has to be held that Krishnappa Rangamma Education Trust or the Vokkaligara Sangha does not have any right, title or interest over the properties concerned. Sri B.P.Mahendra has the right to manage the property, utilize the same and sell the same in

terms of the Will of Smt. Rangamma. Hence, the order passed by the Bangalore Development Authority approving the layout as requested by Sri B.P. Mahendra by virtue of the will dated 05.01.1985 has to be upheld and the revenue proceedings under Section 136(2) of the Karnataka Land Revenue Act and the orders passed for restoring the mutation entries in the name of late Smt. Rangamma are liable to be set aside. Further, once the land is converted for residential purpose, the question of initiation of proceedings under Section 136(2) of the Karnataka Land Revenue Act does not arise. Hence the following:

ORDER

(i) W.P. No.960/2025 is hereby dismissed.

(ii) W.P. No.24418/2025 is hereby allowed.

(iii) The impugned order in Writ Petition No.24418/2025 bearing No.ಸಂಪಾಆಕ/ಆರ್ಆರ್ಟಿ/ಸಿಆರ್/221/2023–24, dated 31.07.2025 passed by respondent No.2

therein vide Annexure-A is concerned in respect of the property concerned is hereby set aside. Consequently, the mutation entry bearing MR No.T2/2025-26 dated 02.08.2025 as contained in Annexure-AY in W.P. No.24418/2025 is set aside in respect of the lands concerned.

(iv) W.P. No.25735/2024 is hereby allowed. The proceedings in RA (BN) 118 of 2021 pending on the file of respondent No.2 therein stands quashed.

Sd/-
(M.I.ARUN)
JUDGE

KMS
CT:BCK
LIST NO.: