HC-KAR

NC: 2026:KHC:65252
WP NO.28237 OF 2026

CNR: KAHC010618602026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO.28237 OF 2026 (KLR-RES)

BETWEEN:

1. SRI. SRINIVASA REDDY
S/O LATE NANJUNDAPPA @ NANJUNDA REDDY,
AGED ABOUT 65 YEARS.

2. NANDISHA T.S.
S/O SRINIVASA REDDY
AGED ABOUT 35 YEARS.

BOTH ARE RESIDING AT:
TIGALA CHOWDENAHALLI VILLAGE,
DOMMASANDRA POST,
SARJAPURA HOBLI,
BENGALURU RURAL DISTRICT,
BENGALURU – 562 125.

...PETITIONERS

(BY SRI. GOPALA H.M., ADVOCATE)

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

AND:

1. THE SPL. DEPUTY COMMISSIONER
BENGALURU URBAN DISTRICT,
SPL. DY. COMMISSIONER-2,
K.P.L.C. BOARD ROOM, 2ND FLOOR,
OFFICE OF THE SPL. DEPUTY COMMISSIONER,
K.G. ROAD,
BENGALURU - 560 009.

2. THE ASST. COMMISSIONER,
BENGALURU SOUTH SUB-DIVISION,
BENGALURU – 560 009.

3. THE TAHASILDAR
OFFICE OF THE TAHASILDAR,
ANEKAL TALUK,
ANEKAL – 562 106.

4. DEVARAJ
S/O LATE MARIYAPPA,
AGED ABOUT 48 YEARS,
R/AT CHAMBENAHALLI VILLAGE,
DOMMASANDRA POST,
SARJAPURA HOBLI,
BENGALURU RURAL DISTRICT,
BENGALURU – 562 125.

…RESPONDENTS

(BY SRI. ADITYA DIWAKARA, AGA FOR R1 TO R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER DATED 05TH AUGUST, 2026 PASSED BY THE RESPONDENT NO.1-SPECIAL DEPUTY COMMISSIONER, BENGALURU URBAN DISTRICT, BENGALURU IN CASE NO.RP/ 322/2022 VIDE ANNEXURE-P INSOFAR AS SETTING ASIDE THE ORDER DATED 01ST AUGUST, 2022 PASSED BY THE RESPONDENT NO.2-ASSISTANT COMMISSIONER, BENGALURU SOUTH SUB-DIVISION IN CASE NO.R.A.(A):410/2019-20 VIDE ANNEXURE-H; AND ETC

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

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

ORAL ORDER

Sri. Aditya Diwakara, learned Additional Government Advocate accepts notice for respondents 1 to 3.

2. In this petition, petitioners are challenging the order dated 05th August, 2026 (Annexure-P) passed in Case No.RP/322/2022; wherein the respondent No.1, set-aside the order dated 01st August, 2022 (Annexure-H) passed by the respondent No.2 in Case No.R.A.(A):410/2019-20.

3. Heard Sri. Gopala H.M., learned counsel appearing for the petitioner and Sri. Aditya Diwakara, learned Additional Government Advocate appearing for respondents 1 to 3.

4. Having heard the learned counsel appearing for the parties and on perusal of the averments made in the writ petition, it is forthcoming that the petitioners are claiming right over the subject land based on the registered Sale Deed dated 04th November, 1974, which was executed in favour of grandfather of the petitioner No.1. Though the Sale Deed was registered on 04th November, 1974, mutation has not been effected in favour of the grandfather of the petitioner No.1 or in

favour of the petitioners herein based on the Sale Deed. In that view of the matter, following the law declared by this Court in the case of ***SUNDRABAI AND OTHERS vs. DEPUTY COMMISSIONER AND OTHERS*** reported in *ILR 2012 KAR 2358,* as the petitioner slept over the matter for a period of more than three decades and as such, the respondent No.2 ought not to have allowed the appeal preferred by the petitioner herein in Case No.R.A.(A):410/2019-20 and accordingly, the same was rightly rectified by the respondent No.1 in the impugned order. Therefore, I am of the view that no interference be called for in this petition. It is open for the petitioner to establish his right over the subject land in a manner known to law. Accordingly, writ petition is ***dismissed.***

SD/-
(E.S. INDIRESH)
JUDGE

ARK
List No.: 1 Sl No.: 26