HC-KAR

CNR: KAHC010738402024

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. 35535 OF 2024 (KLR-RES)

BETWEEN:

1. SRI NAGAPPA
   S/O LATE VENKATARAMANAPPA,
   AGED ABOUT 62 YEARS,
   BAGURU VILLAGE, ANUGONDANAHALLI HOBLI,
   HOSKOTE TALUK, CHIKKATHIRUPATHI POST,
   BENGALURU RURAL DISTRICT-563 160.

2. BHASKAR
   S/O NAGAPPA,
   AGED ABOUT 36 YEARS,
   BAGURU VILLAGE, ANUGONDANAHALLI HOBLI,
   HOSKOTE TALUK, CHIKKATHIRUPATHI POST,
   BENGALURU RURAL DISTRICT-563 160.

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Location: HIGH COURT OF KARNATAKA

3. GOPALAPPA
   S/O LATE VENKATARAMANAPPA,
   AGED ABOUT 62 YEARS,
   BAGURU VILLAGE, ANUGONDANAHALLI HOBLI,
   HOSKOTE TALUK, CHIKKATHIRUPATHI POST,
   BENGALURU RURAL DISTRICT-563 160.

...PETITIONERS

(BY SRI. RAMA BHAT K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
   REP. BY ITS UNDER SECRETARY TO
   GOVT., REVENUE DEPARTMENT,
   VIKAS SOUDHA,
   BENGALURU -560 001.

2. THE DEPUTY COMMISSIONER
   BENGALURU RURAL DISTSRICT DISTRICT
   ADMINISTRATIVE OFFICE, 1ST FLOOR,
   VEERANSANDRA VILLAGE,
   KUNDANA HOBLI, DEVANAHALLI TALUK,
   BENGALURU RURAL DISTRICT-562 110.

3. THE ASST. COMMISSIONER
   DEODDABALLAPURA SUB DIVISION,
   DODDABALLAPURA,
   BENGALURU RURAL DISTRICT-561 203.

4. THE TAHSILDAR
   HOSKOTE TALUK,
   HOSKOTE,
   BENGALURU RURAL DISTRICT-562 114.

5. B M SHEKHAR
   AGED ABOUT 50 YEARS
   S/O LATE MOOGAPPA,
   BAGURU VILLAGE, ANUGONDANAHALLI HOBLI
   HOSKOTE TALUK, CHIKKATHIRUPATHI POST
   BENGALURU RURAL DISTRICT-563 160.

6. RAMASWAMY
   AGED ABOUT 52 YEARS

S/O.LATE DODDA MOOGAPPA
BAGURU VILLAGE, ANUGONDANAHALLI HOBLI
HOSKOTE TALUK, CHIKKATHIRUPATHI POST
BENGALURU RURAL DISTRICT-563 160.

…RESPONDENTS

(BY SRI. ADITYA DIWAKARA, AGA FOR R-1 TO 4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT IN THE NATURE OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION AND THEREBY SET-ASIDE THE ORDER DATED 13-08-2024 PASSED BY THE DEPUTY COMMISSIONER (2ND RESPONDENT), BENGALURU RURAL DISTRICT IN REV. PETITION NO.197/2023 AS PER ANNEXURE - A AND ORDER DATED 06/10/2023 PASSED BY THE ASSISTANT COMMISSIONER, DODDABALLAPURA SUB-DIVISION, DODDABALLAPURA (3RD RESPONDENT), IN APPEAL RA (HOSAKOTE) 139/2020-21 AS PER ANNEXURE -B AND ETC.

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

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

ORAL ORDER

1. In this petition, the petitioners are assailing order dated 13.08.2024 passed by respondent No.2 (Annexure-A) and order dated 06.10.2023 passed by respondent No.3 (Annexure-B).

2. Having heard the learned counsel appearing for the parties and on careful consideration of the same, it is evident that the Mutation Entry No.14/1992-93 has been made in favour of the Yellappa, and the same has been challenged before the Competent Authority.

3. It is also forthcoming that the mutation has been effected on the basis of the registered Will dated 05.01.2000 said to have been executed by Yellappa in favour of respondent No.5 - B.M.Shekar. It is also forthcoming that P & SC No.12/2024 is pending consideration before the District and Sessions Judge, Bengaluru Rural District as per Annexure-'G' to the writ petition.

4. In that view of the matter, having regard to the declaration of law made by the Hon'ble Supreme Court in the

case of ***Tarachandra v. Bhawarlal and Another***, reported in ***2025 SCC OnLine SC 2902***, the revenue entries have been made on the basis of the registered Will, I am of the view that no interference is called for in this writ petition.

5. However, it is open for the petitioners herein to contest the proceedings in P & SC No.12/2024 and establish their independent rights over the property.

6. Accordingly, the writ petition is ***dismissed***.

SD/-
(E.S.INDIRESH)
JUDGE

VMB
List No.: 1 Sl No.: 24