



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO. 607 OF 2026 (GM-CPC)

BETWEEN:

SMT RAJASHREE A. NAIK
W/O SRI ASHOK M. NAIK,
AGE ABOUT 64 YEARS ,
PRESENTLY R/AT NO. 1592,
1ST FLOOR, 2ND STAGE,
RAJAJINAGAR,
BENGALURU – 560 010
BY HER PA HOLDER
SRI SRIKANTH M. NAIK

...PETITIONER

(BY SRI. RAMESH P. KULKARNI, ADVOCATE)

AND:

1. SRI VIVEKANANDA V. PALANKAR,
S/O SRI VISHNU D. PALANKAR,
AGE ABOUT 60 YEARS,
R/AT NO.1013, 4TH MAIN,
'D' BLOCK, 2ND STAGE,
RAJAJINAGAR,
BENGALURU – 560 010
2. THE SUB REGISTRAR
RAJAJINAGAR,
BENGALURU – 560 010
3. SRI D. K. VARADARAJAN,
S/O LATE KRISHNA IYENGAR,
AGE ABOUT 71 YEARS
R/AT NO. 4000, 7TH CROSS,
GAYATHRI NAGAR,
BENGALURU – 560 021





4. SRI V. GOPAL
S/O LATE SRI VARADAPPA SHETTY
AGE ABOUT 65 YEARS
R/AT NO 48/1, 13TH CROSS,
8TH MAIN, MALLESHWARAM
BENGALURU – 560 003
5. SRI JANAKIRAM
S/O LATE DHANPAL AND SARASWATHI
AGE ABOUT 55 YEARS,
6. SRI VENKATESHA
S/O LATE DHANPAL AND SARASWATHI
AGE ABOUT 50 YEARS,
7. SRI SRINIVASA
S/O LATE DHANPAL AND SARASWATHI
AGE ABOUT 48 YEARS,
8. SMT. VASANTHA
D/O LATE DHANPAL AND SARASWATHI
AGE ABOUT 52 YEARS,
9. SMT. RANI
D/O LATE DHANPAL AND SARASWATHI
AGE ABOUT 45 YEARS,

RESPONDENT 5 TO 9 ARE
R/AT NO 105, MILK COLONY,
BENGALURU – 560 021

10. SMT. SUMANGALI
W/O LATE KODANDAPANI
AGE ABOUT 63 YEARS,
11. SMT. MAMATHA
D/O LATE KODANDAPANI
AGE ABOUT 39 YEARS,

RESPONDENT 10 & 11 ARE
R/AT NO 191, MILK COLONY,
BENGALURU – 560 021



12. SRI NAGARAJ
S/O LATE SEETHARAM
AGE ABOUT 43 YEARS,

13. SRI DHANARAJ
S/O LATE SEETHARAM
AGE ABOUT 40 YEARS,

14. SRI SOMASHEKAR
S/O LATE SEETHARAM
AGE ABOUT 37 YEARS,

RESPONDENT NO.12 TO 14 ARE
R/AT NO 83, SRIRAMPURAM
BENGALURU – 560 021

15. SRI V SRINIVASA
S/O LATE VARADAPPA SHETTY ,
AGE ABOUT 55 YEARS,
R/AT NO.191, MILK COLONY
BENGALURU – 560 021

16. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
REVENUE DEPARTMENT,
M. S. BUILDING ,
BENGALURU – 560 001

17. THE COMMISSIONER
BENGALURU DEVELOPMENT AUTHORITY
K. P. WEST, BENGALURU – 560 102

18. THE COMMISSIONER
BRUHATH BENGALURU MAHANAGARA PALIKE,
BENGALURU – 560 002

...RESPONDENTS

(BY SMT. HEMALATHA V., AGA FOR R2 & R16;
NOTICE TO R1, R3 TO R15 ARE DISPENSED WITH ON 27.02.2026;
SRI. MURUGESH CHARATI, ADV. FOR R17;
SMT. SUMANA BALIGA M., ADV. FOR R18)

THIS W.P. IS FILED UNDER ARTICLES 226 & 227 OF
CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF



CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, QUASHING ANNEXURE-D, BEING THE ORDER DATED 02.08.2025 PASSED BY THE XVI ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU (CCH-12) IN O.S.NO.8973/2010; DISMISSING THE APPLICATION FILED UNDER SEC. 151 C.P.C. (ANNEXURE-C) AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

In this petition, the petitioner seeks the following reliefs:

- "i. Issue a writ of Certiorari or any other appropriate writ, order or direction, quashing Annexure-D, being the order dated 02.08.2025, passed by the XVI Additional City Civil & Sessions Judge, Bengaluru (CCH-12) in O.S.No.8973/2010; dismissing the application filed under Sec.151 C.P.C. (Annexure-C);*
- ii. Issue a writ of Mandamus or any other appropriate writ, order or direction directing the respondent No.2 – Sub-Registrar, Rajajinagar, Bengaluru, to register Annexure-A and Annexure-A1, being the judgment and decree dated 27.08.2024 passed by the XVI Additional City Civil & Sessions Judge, Bengaluru (CCH-12) in O.S.No.8973/2010 in accordance with law;*
- iii. Grant such other and further reliefs as this Hon'ble Court deems fit in the facts and circumstances of the case, in the interest of justice."*



2. Heard learned counsel for the petitioner, learned counsel for respondent Nos.2 to 16, learned counsel for respondent No.17 and learned counsel for respondent No.18 and perused the material on record.

3. A perusal of the material on record will indicate that respondent No.1-plaintiff instituted a suit in O.S.No.8973/2010 against the petitioner-defendant No.2 and other defendants for declaration, permanent injunction, possession and other reliefs in relation to the suit schedule immovable property. After contest, the said suit came to be dismissed by the Trial Court vide Judgment and Decree dated 27.08.2024. It is a matter of record and an undisputed fact that the said judgment and decree passed in O.S.No.8973/2010 by the XVI Additional City Civil and Sessions Judge, Bengaluru, has attained finality and became conclusive and binding upon all the parties including the plaintiff, who has not challenged the said judgment and decree. Subsequently, petitioner-defendant No.2, who succeeded in the suit has submitted a representation/request to respondent No.2 - jurisdictional Sub-Registrar to register the said judgment and decree, since respondent No.2 refused to accede to the request and did not



register the said judgment and decree, the petitioner filed an application before the Trial Court for a direction to respondent No.2 to register the said judgment and decree. By the impugned order, the Trial Court rejected the said application, aggrieved by which the petitioner is before this Court by way of the present petition.

4. A perusal of the impugned order will indicate that the Trial Court has refused to forward/send the judgment and decree to the jurisdictional Sub-Registrar on the ground that there was no specific direction in the judgment and decree directing the same to be sent for registration. In my considered opinion, the Trial Court failed to consider and appreciate that registration of a document presented for registration is an official/statutory duty cast upon the respondent No.2, who cannot refuse to comply with the said request by assigning untenable reasons, warranting interference by this Court in the present petition.

5. In the result, I pass the following:

ORDER

- (i) The petition is hereby allowed.
- (ii) The impugned order dated 02.08.2025 passed in
O.S.No.8973/2010 by the XVI Additional City Civil



and Sessions Judge, Bengaluru (CCH-12), is hereby set aside.

- (iii) Respondent No.2 – the jurisdictional Sub-Registrar is directed to register the judgment and decree dated 27.08.2024 passed in O.S.No.8973/2010 on the file of the XVI Additional City Civil and Sessions Judge, Bengaluru (CCH-12) and hand over the same to the petitioner, immediately upon receipt of a copy of this order, without any delay.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE