



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 27<sup>TH</sup> DAY OF FEBRUARY, 2026**

**PRESENT**

**THE HON'BLE MR. JUSTICE D K SINGH**

**AND**

**THE HON'BLE MR. JUSTICE S RACHAIAH**

**WRIT APPEAL NO. 65 OF 2024 (KLR-RES)**

**C/W**

**WRIT APPEAL NO. 360 OF 2024 (KLR-RES)**

**IN WA No. 65/2024**

**BETWEEN:**

1. SHRI H S RAMESH  
S/O LATE SRI.H.S.SRINIVASA RAO  
AGED ABOUT 63 YEARS,  
RESIDING AT NO.82, GOLLAGERI,  
CHAMARAJA MOHALLA,  
MYSURU-5670024

...APPELLANT

(BY SRI. K.CHANDRANATH ARIGA, ADVOCATE FOR  
SRI. G A SRIKANTE GOWDA., ADVOCATE)

**AND:**

1. THE STATE OF KARNATAKA  
REPRESENTED BY ITS SECRETARY,  
DEPARTMENT OF LAND REVENUE,  
VIKASA SOUDHA, BENGALURU-560 001
2. THE DEPUTY COMMISSIONER  
MYSURU DISTRICT,  
MYSURU-570 024





**NC: 2026:KHC:12311-DB  
WA No. 65 of 2024  
C/W WA No. 360 of 2024**

3. THE TAHSILDAR  
MYSURU TALUK  
MYSURU-570 024
4. MYSORE TALUK CO-OPERATIVE  
INDUSTRIAL ESTATE LIMITED.,  
MEDAR SANGHA BUILDING,  
2ND CROSS, PARVATHI ROAD,  
MYSURU 570 024
5. KARNATAKA INDUSTRIAL AREAS  
DEVELOPMENT BOARD  
REPRESENTED BY DEVELOPMENT OFFICER  
MYSURU TLAUK, MYSURU 570 024

...RESPONDENTS

(BY SRI. ARUNA.G.S, HCGP FOR R1-R3;  
SRI. RUPESH KUMAR, ADVOCATE FOR C/R4;  
SRI. P.V.CHANDRASHEKAR, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA  
HIGH COURT ACT, PRAYING TO EXERCISE ITS JURISDICTION  
UNDER SECTION 4 OF THE HIGH COURT ACT TO SET ASIDE  
THE ORDER DATED 28/11/2023 PASSED BY THE LEARNED  
SINGLE JUDGE IN SO FAR AS IT RELATES TO PRAYER MADE IN  
WP NO.3940/2018 AND ALLOW WRIT PETITION AS PRAYED  
FOR, ETC.

**IN WA NO. 360/2024**

**BETWEEN:**

1. SHRI H S RAMESH,  
S/O LATE SHRI H S SRINIVASA RAO  
AGED ABOUT 63 YEARS  
RESIDING AT NO 82, GOLLGERI  
CHAMARAJA MOHALLA  
MYSURU - 570 024

...APPELLANT

(BY SRI. K.CHANDRANATH ARIGA., ADVOCATE)



**NC: 2026:KHC:12311-DB  
WA No. 65 of 2024  
C/W WA No. 360 of 2024**

**AND:**

1. MYSORE TALUK CO-OPERATIVE  
INDUSTRIAL ESTATE LIMITED  
MEDAR SANGHA BUILDING  
2ND CROSS PARVATHI BUILDING  
MYSURU - 570001  
REP BY ITS SECRETARY  
SMT K B MANGALA
2. THE DEPUTY COMMISSIONER  
MYSURU DISTRICT  
MYSURU - 570001
3. THE TAHSILDAR  
MYSURU TALUK  
MYSURU - 570 024

...RESPONDENTS

(BY SRI. ARUNA G.S., HCGP FOR R2 & R3;  
SRI. RUPESH KUMAR.S, ADVOCATE FOR C/R1)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO EXERCISE ITS JURISDICTION UNDER SECTION 4 OF THE HIGH COURT ACT AND TO PASS APPROPRIATE ORDER OR DIRECTION OR ISSUE WRIT AND SET ASIDE THE ORDER DATED 28/11/2023 PASSED BY THE LEARNED SINGLE JUDGE IN SO FAR AS IT RELATES TO ALLOWING WP NO.55487/2018 AND DISMISS WP NO.55487/2018, ETC.

THESE APPEALS, COMING ON FOR FINAL HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH  
and  
HON'BLE MR. JUSTICE S RACHAIAH



**ORAL JUDGMENT**

(PER: HON'BLE MR. JUSTICE D K SINGH)

Both the writ appeals have been filed impugning the judgment and order dated 28.11.2023 passed by the learned Single Judge in W.P.No.3940/2018 and connected writ petitions.

2. The parties are referred to as per their ranking before the writ Court, for the sake of convenience.

3. The grievance of the petitioner before the writ Court was that despite there being an interim order, the Tahsildar, Mysuru Taluk, Mysuru, vide order dated 25.01.2017 in respect of the land bearing Sy.No.80 measuring 5 acres 9 guntas situated at Hebbal Village, Kasaba hobli, Mysuru Taluk and District, transferred the land in favour of the Karnataka Industrial Areas Development Board (for short 'the KIADB'). It is further stated that the KIADB has further alienated the property vide sale deed dated 26.05.2023, in favour of respondent No.4-Mysore Taluk Co-operative Industrial Estate Limited.



4. An appeal came to be filed by the petitioner in respect of the order passed by the Tahsildar in (Revenue) Appeal No.860/2015 which is pending before the Karnataka Appellate Tribunal (for short 'the Tribunal'), In the said appeal, interim order was passed on 05.10.2015 which was extended until 30.08.2016.

5. In between, the Tahsildar has passed the order granting the land in favour of KIADB and the KIADB has executed the sale deed in favour of respondent No.4 vide sale deed dated 26.05.2023. Therefore, the petitioner filed an application in I.A.No.1/2023 before the Tribunal seeking to initiate proceedings against respondent No.4 and 5.

6. The learned Single Judge, however, has held that as the matter is still pending consideration before the Tribunal and in the event, the appellant/petitioner succeeds in the appeal before the Tribunal, the transfer of land in favour of KIADB and further transfer by the KIADB



in favour of respondent No.4 would be as per the decision of the Tribunal.

7. Respondent No.4, in whose favour the sale deed has been executed, has filed an application before the Tribunal for impleadment and the said application came to be rejected against which, respondent No.4 had filed W.P.No.55487/2018.

8. The learned Single Judge has set aside the order passed by the Tribunal and directed the Tribunal to hear the petitioner along with the respondents and dispose of the (Revenue) Appeal No.860/2015 pending before it at the earliest.

9. The appeal is still pending before the Tribunal. The rights of the parties in respect of the grant and the transfer in favour of the KIADB and the subsequent sale deed dated 26.05.2023 executed by the KIADB in favour of respondent No.4 will be subject to the final outcome of the appeal pending before the Tribunal.



10. We, therefore, direct the Tribunal to decide the pending (Revenue) Appeal No.860/2015 expeditiously within a period of six months. Till a decision is taken by the Tribunal, the respondent No.4 shall not alienate the property or create any third party interest in respect of land in question.

11. With the aforesaid observations, we ***dispose of*** the writ appeals.

**Sd/-  
(D K SINGH)  
JUDGE**

**Sd/-  
(S RACHAIAH)  
JUDGE**