



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 2367 OF 2026 (GM-RES)

BETWEEN:

KARUR VYSYA BANK LIMITED
A BODY CORPORATE CONSTITUTED
UNDER THE BANKING REGULATION ACT,
DIVISIONAL OFFICE BUILDING,
NO.6, SHRI VASAVI TEMPLE ROAD,
NEAR SAJJAN RAO CIRCLE,
V.V. PURAM, BANGALORE-560004
REPRESENTED BY ITS AUTHORIZED OFFICER
T. VIJAYA KARTHI KYOU, CHIEF MANYER.

...PETITIONER

(BY SRI. VIGNESH S SHETTY., ADVOCATE)

AND:



1. THE STATE OF KARNATAKA
SUB-REGISTRAR,
OFFICE OF THE SUB-REGISTRAR,
RAJAJINAGAR NAGARABAVI,
BANGALORE-560072
2. MR. ESHWAR MADAWAL,
S/O MR. RAMAPPA MADAWAL,
AGED ABOUT 40 YEARS,
R/O NO. 15, ANDHRAHALLI MAIN ROAD,
VINAYAKANAGAR EAST,
SYNDICATE BANK LAYOUT,
BANGALORE-560091
3. MR. T,N NARASIMHAMURTHY
AGED ABOUT 62 YEARS,



FOR THE KARUR VYSYA BANK LIMITED
R/O NO.32, ANDHRAHALLI MAIN ROAD,
VINAYAKANAGAR EAST,
SYNDICATE BANK LAYOUT,
BANGALORE-560091

...RESPONDENTS

(BY SRI. MOHAMMED JAFFAR SHAH., AGA FOR R1)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT DIRECTING R-1 - SUB-REGISTRAR TO DELETE / REMOVE THE ENCUMBRANCE ENTRY PERTAINING TO THE SALE AGREEMENT DTD 17.04.2023 BEARING DOCUMENT NO. 445/2023-24 FROM THE ENCUMBRANCE CERTIFICATE OF THE SCHEDULE PROPERTY PRODUCED AS ANNEXURE-B AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs:

- a) *Issue a writ of mandamus or any other appropriate writ directing the Respondent No.1 – Sub Registrar to delete/remove the encumbrance entry pertaining to the Sale Agreement dated 17.04.2023 bearing Document No.448/2023-24 from the Encumbrance Certificate of the Schedule property produced as Annexure-B;*
- b) *Issue writ of mandamus or Direct the Respondent No.1 to consider the Representation issued by the petitioner Bank on Dated 02.01.2025 is produced as Annexure-D;*



- c) Declare that the said Sale Agreement is null and void and not binding on the petitioner bank;*
- d) Pass such other or further orders as this Hon'ble Court deems fit in the interest of justice and equity.*

2. Submission of counsel for the petitioner is that the representation which has been submitted by the petitioner on 02.01.2025 has remained unconsidered and as such, if that representation would be considered the petitioner's interest would be protected.
3. Whenever any representation is submitted to a State Authority, it would be required for the Authority to consider the same and pass necessary orders within a reasonable period of time. In the present case, the representation having submitted on 02.01.2025, has still remained unconsidered. As such, this Court passes the following:

ORDER

- i. The writ petition is allowed. Mandamus is issued directing the respondents to consider the



representation dated 2.01.2025 submitted by the petitioner and pass appropriate orders within a period of four weeks from the date of receipt of copy of this order.

- ii. Learned counsel for the petitioner submits that he does not press prayers (a) and (b). As such, prayers(a) and (b) are deleted from the petition.
- iii. Counsel for the petitioner has filed a memo for deletion of respondents No. 2 and 3. Accepting the memo, respondents No.2 and 3 are deleted from the array of respondents. Counsel for the petitioner to carry out amendment.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE