



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 5935 OF 2026 (KLR-RR/SUR)

BETWEEN:

1. SRI RAJU,
S/O. LATE MULLEGOWDA,
AGED ABOUT 58 YEARS,
R/OF KURUBARADODDI VILLAGE,
ATHAGURU HOBLI, MADDUR TALUK,
MANDYA DISTRICT - 571 433.

...PETITIONER

(BY SRI. MANOJ B G.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS REVENUE SECRETARY,
5TH FLOOR, M.S. BUILDING,
AMBEDKAR VEEDI,
BENGALURU - 560 001.
2. THE COMMISSIONER,
SURVEY, SETTLEMENT AND LAND RECORDS,
SSLR BUILDING, K.R. CIRCLE,
BENGALURU - 560 001.
3. THE ASSISTANT DIRECTOR OF LAND RECORDS,
MADDUR TALUK,





SH-17, BENGALURU MYSORE ROAD,
MADDUR, MANDYA DISTRICT - 571 428.

4. THE TAHSILDAR,
MADDUR TALUK,
SH-17, BENGALURU MYSORE ROAD,
MADDUR, MANDYA DISTRICT - 571 428.

...RESPONDENTS

(BY SMT.NAVYA SHEKHAR, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO-DIRECT THE RESPONDENTS TO CONSIDER THE ONLINE APPLICATION NO. 22061124950381, DATED 29.11.2024 VIDE ANNEX-G AS FILED BY THE PETITIONER AT THE EARLIEST WITHOUT ANY FURTHER DELAYS AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

Learned Additional Government Advocate takes notice for all the respondents.

2. The grievance of the petitioner is that his application filed for phodi and duast at Annexure-G has been rejected by issuance of the impugned endorsement at



Annexure-A dated 22.01.2026. It is stated in the endorsement that there is an interim order passed in O.S.No.544/2024 dated 24.10.2024 directing the defendants therein not to alienate the property in question and therefore, the hudbast/re-survey cannot be conducted at this stage.

3. This Court has always held that when a civil suit is pending consideration and there is any dispute in respect of the ownership of the property the extent of land or interference at the hands of a third party, then such applications for re-survey, phodi, etc. should not be entertained since it would give rise to multiplicity of proceedings. On the other hand, this Court has directed the parties to file such an application before the Civil Court where the suit is pending if a resurvey is required to be conducted and the competent Civil Court may consider whether to permit the parties to go ahead seeking such a resurvey, etc.

4. In that view of the matter, this Court does not find any infirmity in the impugned endorsement at Annexure-A. The writ petition is accordingly disposed of.



**NC: 2026:KHC:11074
WP No. 5935 of 2026**

Learned Additional Government Advocate is permitted to file memo of appearance within a period of four weeks from today.

**Sd/-
(R DEVDAS)
JUDGE**

rv
List No.: 1 Sl No.: 13