



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 7083 OF 2025 (GM-R/C)

BETWEEN:

1. RAVINDRA SHETTY
S/O LATE ANANDA SHETTY,
AGED ABOUT 61 YEARS,
BHAGIRATHI NILAYA, KATTE MANE,
POST ULTHOOR-576231
KUNDAPURA TALUK,
UDUPI DISTRICT
2. PRASHANTH SHETTY,
S/O LATE GUNDU SHETTY
AGED ABOUT 48 YEARS,
SARVANTHARA MANE,
POST ULTHOOR-576231
KUNDAPURA TALUK,
UDUPI DISTRICT.

...PETITIONERS

(BY SRI. CHANDRANATH ARIGA K.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP BY PRINCIPAL SECRETARY,
DEPARTMENT OF REVENUE,
(RELIGIOUS CHARITABLE
ENDOWMENTS DEPARTMENT)
MS BUILDING, BENGALURU- 560 001.
2. THE PRESIDENT
ZILLA DHARMIKA PARISHATH AND
THE ASSISTANT COMMISSIONER,
DEPARTMENT OF HR AND CE,
RAJATHADRI, MANIPAL-576104



UDUPI DISTRICT.

3. SHIVABHUSHANA ADIGA
S/O SATHYANARAYANA ADIGA
AGED ABOUT 35 YEARS
VISHALAKSHI NILAYA
POST ULTHOOR 576 231
KUNDAPURA TALUK
UDUPI DISTRICT.
4. RAMESH ADIGA
S/O LATE CHANNAKESHA ADIGA
AGED ABOUT 40 YEARS
POST ULTHOOR 576 231
KUNDAPURA TALUK UDUPI DISTRICT.
5. SRI. GANGAPATHI
S/O D AJJU, AGED MAJOR
NO.1-79 KALLIGUDDE
HALTHOOR, POST ULTHOOR 576231
KUNDAPURA TALUK UDUPI DISTRICT.
6. SMT SUMATHI
AGED MAJOR, W/O GOVINDA SHETTY
NO. 2-13, SEEGE BELLEMANE
MOODABETTU, POST ULTHOOR 576231
KUNDAPURA TALUK, UDUPI DISTRICT.
7. SMT. MEENAKSHI POOJARY
AGED MAJOR
W/O BABU POOJARY
DEEPAK NILAYA, MALYADI
POST ULTHOOR 576231
KUNDAPURA TALUK
UDUPI DISTRICT.
8. SRI. SANDESH SHETTY
AGED MAJOR, S/O LATE. SANJEEV SHETTY,
MYLADIMANE, MOODUBETT,
9. SRI. VIJAY KUMAR,



AGED MAJOR,
S/O MAHABALA POOJARY,
NO.1-21, HALTHOORU,
KELABETTU, POST ULTHOOR-576231
KUNDAPURA TALUK, UDUPI DISTRICT.

10. SRI. CHANDRA SHETTY,
AGED MAJOR, S/O LAKSHMANA,
2/41, SANNIDHI NILAYA,
BELOORU CROSS, POST ULTHOOR-576231
KUNDAPURA TALUK, UDUPI DISTRICT

11. SRI. VINAY KUMAR SHETTY,
AGED MAJOR, S/O BHUJANGA SHETTY,
POST ULTHOOR-576231
KUNDAPURA TALUK, UDUPI DISTRICT

...RESPONDENTS

(BY SRI.SHAMANTH NAIK, HCGP FOR R1 AND R2;
SMT.SOHANI HOLLA, ADVOCATE FOR R3 AND R4;
R5, R6, R7, R8, R9, R10 AND R11 ARE SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE ORDER DATED 12/02/2025 PASSED IN E COMP
NO. 20711 FILE NO. HRICEU-ADMOTRS/32/2025-ADMN
PASSED BY THE R2, IN SO FAR AS APPOINTING R3 AND 4 TO
THE COMMITTEE OF MANAGEMENT OF THE TEMPLE
(ANNEXURE-F).

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The captioned petition is filed primarily assailing the
proceedings in constituting a committee by including the
names of respondents 3 and 4.



2. The primary contention urged by the petitioner is that respondent Nos.3 and 4, whose predecessors are stated to have acquired vast extents of agricultural lands, are disqualified from being considered as members of the temple management committee of Ulthoor Mahalingeshwar Temple, Ulthoor Village. It is contended that the said respondents, having derived substantial landed properties through their grandfather, fall within the zone of ineligibility and, therefore, their inclusion in the committee is contrary to the governing statutory scheme.

3. During the pendency of the present writ petition, both learned counsel, on instructions, fairly submit that out of the total nine members constituting the committee, five members have tendered their resignation. In view of the said development, the committee has lost the requisite quorum and, consequently, ceases to function in the eye of law. The very substratum of the committee having thus collapsed, its continuance is rendered untenable.



4. However, learned counsel appearing for respondents 3 and 4 submits that the said respondents are hereditary archakas of the temple and claim a pre-existing customary right traceable to their lineage.

5. Learned counsel appearing for respondents 3 and 4 submits that their ancestors, in their capacity as tenants, had filed Form No.7 seeking grant of occupancy rights and that the competent Land Tribunal, upon due enquiry, has conferred occupancy rights in their favour. It is therefore contended that the conferment of occupancy rights in respect of certain lands, which are stated to be temple properties, cannot, by itself, be construed as a disqualification. Elaborating further, learned counsel would submit that respondents 3 and 4 are asserting an independent claim as hereditary archakas, tracing such right through their lineage, and that the said claim cannot be eclipsed merely on account of the occupancy rights granted to their predecessors.



6. It is therefore contended that merely because the earlier committee has become non-functional, such circumstance should not operate as a bar for respondents 3 and 4 to seek consideration afresh for inclusion in the reconstituted committee, subject to their eligibility in accordance with law.

7. Having regard to the rival submissions and in light of the admitted position that the committee presently lacks quorum, this Court is of the considered view that the writ petition does not survive for adjudication on merits and has, in effect, become infructuous. Nevertheless, insofar as the claim of respondents 3 and 4 as hereditary archakas is concerned, the same cannot be adjudicated in these proceedings and necessarily requires examination by the competent authority. Accordingly, it is observed that the Assistant Commissioner shall consider the eligibility of respondents 3 and 4, including their claim of hereditary right, strictly in accordance with the scheme contemplated under Section 25 of the Karnataka Hindu Religious



Institutions and Charitable Endowments Act, 1997 (for short, "the Act"), and in accordance with law.

8. In view of the admitted position that the committee, originally comprising nine members, is no longer in existence for want of quorum, the writ petition stands disposed of as having become infructuous. The Assistant Commissioner is directed to initiate appropriate steps for reconstitution of the temple management committee in accordance with the provisions of Section 25 of the Act, ensuring due adherence to the statutory requirements and after affording opportunity to all eligible stakeholders.

**Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE**

ALB
List No.: 1 Sl No.: 39