



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 7909 OF 2026 (KLR-RR/SUR)

BETWEEN:

1. MR. K.R. SRIDHAR BABU,
AGED ABOUT 47 YEARS,
S/O K. N. RAMAKRISHNAPPA
2. MR. K.N. RAMAKRISHNAPPA
AGED ABOUT 82 YEARS,
S/O LATE BHAVANNA
3. SMT. NAGARATHNAMMA
AGED ABOUT 72 YEARS,
W/O K. N. RAMAKRISHNAPPA
4. MR. K.R. MANJUNATH,
AGED ABOUT 42 YEARS,
S/O K.N. RAMAKRISHNAPPA

ALL ARE R/A KODURU,
BYRAGANAHALLI VILLAGE,
MANDIKAL HOBLI,
CHIKKABALLAPURA TALUK-562104.

...PETITIONERS

(BY SRI. MARTHESHA G.S., ADVOCATE FOR
SRI. MOHANA CHANDRA P., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY





REVENUE DEPARTMENT
M.S. BUILDING,
BANGALORE -1.

2. THE TASHILDAR,
CHIKKABALLAPURA TALUK OFFICE,
CHIKKABALLAPURA-562101.

...RESPONDENTS

(BY SMT. B.P.RADHA., AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT R-2 TO CONSIDER THE REPRESENTATION DTD. 10.12.2024 VIDE ANX-E WITHIN THE TIME FIXED BY THIS HON'BLE COURT 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

The grievance of the petitioners is that their request made to the 2nd respondent-Tahsildar, Chikkaballapura Taluk, to mutate and enter their names in the revenue records pursuant to the compromise decree passed in O.S.No.03/2019 on the file of learned Senior Civil Judge, Gudibande, has not been considered by the Tahsildar.

2. On the previous occasion, this Court recorded a statement submitted by the learned Counsel for the



petitioners that there is a decision of the Hon'ble Supreme Court, where it is held that it is not compulsory to register a decree, even if it is a decree for partition, dividing the joint family properties or ancestral properties amongst the parties.

3. Today, the learned Counsel for the petitioners has furnished a copy of the judgment of the Apex Court in the case of **MUKESH VS. THE STATE OF MADHYA PRADESH AND ANOTHER**, in Civil Appeal No.14808 of 2024 (arising out of SLP (C) No.4293 of 2021), dated 20.12.2024, where the Hon'ble Supreme Court considered the provisions contained in Section 17 of the Registration Act, 1908, and found that at sub-section (2) of Section 17 which lists out certain documents which may not require registration and at clause (vi) of sub-section (2), it is found that any decree or order of a Court [except a decree or order expressed to be made on a comprise and comprising immovable property other than that which is the subject-matter of the suit or proceeding]. It was



therefore held that it is clear from the above that Section 17(1) of the Act, 1908, specifies the documents for which registration is compulsory. Sub-section (2) of Section 17 carves out the exceptions. The documents/ instruments enumerated in sub-section (2) of Section 17 are not compulsorily registerable. It was held that if a compromise decree involves immovable property other than the property for which a decree is prayed for, such a property would not be exempted and would require registration.

4. Further, earlier in the case of **MOHAMMADE YUSUF AND OTHERS VS. RAJKUMAR AND OTHERS** in Civil Appeal No.800 of 2020 (arising out of SLP (C) No.32799 of 2018) dated 05.02.2020, the Hon'ble Supreme Court while noticing the same provision i.e., Section 17(2)(vi), held that in view of the said provision, the compromise decree did not require registration and the learned Civil Judge as well as the High Court erred in holding otherwise.



5. However, learned Additional Government Advocate submits that if a property is further sub-divided, the parties have to furnish 11E sketch clearly showing the manner in which the property has been divided amongst the parties.

6. The writ petition is accordingly ***disposed of*** directing the 2nd respondent-Tahsildar, Chikkaballapura Taluk, to consider grant of 11E sketch in favour of the petitioners pursuant to the decree drawn by the competent Civil Court. After issuance of the 11E sketch the names of the petitioners shall be entered in the revenue records in terms of the compromise decree. The entire exercise shall be completed as expeditiously as possible and at any rate within a period of three months from the date of receipt of a copy of the order.

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

DL
CT: JL