



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT APPEAL NO. 534 OF 2021 (LR)

BETWEEN:

1. SRI RAMAKRISHNA PRASAD
S/O LATE RAMACHANDRA PRASAD
AGED ABOUT 76 YEARS
2. SRI T R VISHWANATH
S/O LATE RAMACHANDRA PRASAD
AGED ABOUT 74 YEARS
3. SRI R SOMASUNDARA PRASAD
S/O LATE RAMACHANDRA PRASAD
AGED ABOUT 62 YEARS
4. SRI T R ANANTHARAM PRASAD
S/O LATE RAMACHANDRA PRASAD
AGED ABOUT 56 YEARS

APPELLANT NOS. 1 TO 4 ARE
RESIDING AT HUTTURU HOBLI
KOLAR TALUK
KOLAR DISTRICT-563 127.

...APPELLANTS

(BY SRI. T N VISWANATHA., ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER
KOLAR DISTRICT





HC-KAR



KOLAR-563 101.

2. SRI GOPALASWAMY DEVASTHANA
TAMBIHALLI VILLAGE
REPTD. BY TAHASILDAR
KOLAR TALUK-563 127.
3. SRI GURURAJ
S/O LATE GOPINATHA MURTHY
MAJOR
4. SMT. LAKSHMI
D/O LATE GOPINATHA MURTHY
MAJOR
RESPONDENT NOS. 3 & 4 ARE
RESIDING AT
C/O T R ANANTHA MURTHY
NO.411, 'JYOTHI NILAYA'
GROUND FLOOR, 6TH CROSS
GOKULA 1ST STAGE
YESHVANTHAPURA
BENGALURU-560 022.
5. SRI T R KRISHNA MURTHY
S/O RAJARAMA RAO
MAJOR
RESIDING AT HUTTURU
HUTTURU HOBLI, KOLAR TALUK
KOLAR DISTRICT-563 127.
6. SRI ANIL KUMAR
S/O RAJAMMA KRISHNAMURTHY
MAJOR
7. SMT. SUJATHA
D/O RAJAMMA KRISHNAMURTHY
MAJOR
RESPONDENT NOS. 6 & 7 ARE
RESIDING AT NO.411
'JYOTHI NILAYA'
GROUND FLOOR, 6TH CROSS



GOKULA, 1ST STAGE
YESHVANTHAPURA
BENGALURU-560 022.

8. SMT. LALITHAMMA
D/O RAJARAMA RAO
MAJOR
RESIDING AT THAMBINAHALLI VILLAGE
HUTTURU HOBLI
KOLAR TALUK
KOLAR DISTRICT-563 103.

SMT. JAYAMMA
SINCE DEAD BY LRS

9. SRI KRISHNAVENAMMA
W/O LATE T R NARASIMHA MURTHY
AGED ABOUT 72 YEARS.
10. SRI RAGHAVENDRA T N
S/O LATE T R NARASIMHA MURTHY
AGED ABOUT 53 YEARS
11. SRI SUDHEENDRA RAO T N
S/O LATE T R NARASIMHA MURTHY
AGED ABOUT 51 YEARS
12. SRI VIJAYENDRA RAO T N
S/O LATE T R NARASIMHA MURTHY
AGED ABOUT 48 YEARS
13. SRI T N ANIL KUMAR
S/O LATE T R NARASIMHA MURTHY
AGED ABOUT 45 YEARS
14. SRI MADHUSUDAN T N
S/O LATE T R NARASIMHA MURTHY
AGED ABOUT 42 YEARS
RESPONDENT NOS. 9 TO 14 ARE
RESIDING AT



NO.1172, 1ST CROSS
OPP. TO RAMAKRISHNA FLOOR MILL
SHARADA TALKIES ROAD
KOLAR-563 102.

15. SMT. SUDHA
D/O LATE T R NARASIMHA MURTHY
AGED ABOUT 56 YEARS
RESIDING AT NO.
BEHIND ST.ANN'S SCHOOL
P C LAOUT, KOLAR-563 101.

...RESPONDENTS

(BY SMT. RADHA RAMASWAMY, AGA FOR R1;
SRI. ABHINAY Y T, ADVOCATE FOR R10 - R15)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF
THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO
CALL FOR THE RECORDS IN WRIT PETITION NO.3957/2021
AND THE IMPUGNED ORDER DTD. 12.03.2021 PASSED IN
WRIT PETITION NO.3957/2021 ON THE FILE OF THIS
HON'BLE COURT MAY BE SET ASIDE AND THIS WRIT
APPEAL MAY BE ALLOWED WITH COSTS IN THE INTEREST
OF JUSTICE AND EQUITY.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM



ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

This appeal is filed assailing the correctness of the order dated 12.03.2021 passed in W.P.No.3957/2021.

2. Today, a joint memo is filed. Both the parties are present before the Court and they are duly identified by their respective counsel. The respondents, who are present in person have stated on a specific query that they have withdrawn their claim for tenancy on their own volition without any undue influence having been exercised on them.

3. Since the appellants' vendor has the benefit of a re-grant order under the provisions of the Mysore (Religious and Charitable) Inams Abolition Act, 1955 and the learned AGA appearing for the State has expressed no objection to the parties recording the compromise, we have carefully examined the records



to ascertain whether such a compromise can be permitted to be placed on record.

4. It is a trite law that if re-grant order is passed in favour of Inamdar, such re-grant would be subject to tenancy rights. In the present case on hand, the private respondents have withdrawn their application seeking registration of occupancy. Once tenancy claim is withdrawn a re-grant order in favour of the Inamdar has to be presumed to be absolute.

5. Upon perusal of the material available on record, we are satisfied that the lands in question had already been re-granted in favour of the vendors of the appellants. The contesting private respondents had asserted tenancy rights through their paternal grandmother under the appellants' vendor, who was the Inamdar. However, in view of the settlement now arrived at between the parties, the private respondents have withdrawn their claim of tenancy.



6. In these circumstances, particularly when the parties have amicably resolved their dispute and the private respondents have acknowledged that their grandmother was not a tenant in respect of the disputed lands, the foundation for the earlier controversy no longer survives. Once the claim of tenancy is withdrawn, and having regard to the fact that the appellants' vendor was the re-grantee of the lands as the Inamdar, we are of the considered view that the order passed by the learned Single Judge cannot be sustained and is liable to be set aside.

7. Respondents tenancy claim having been withdrawn, this is a lawful compromise and accordingly, admitted on record.

8. Accordingly, we proceed to pass the following:



- (i) The writ appeal is ***disposed of*** in terms of the Joint Memo filed by the parties.
- (ii) Consequently, the order passed by the learned Single Judge dated 12.03.2021 in W.P. No. 3957/2021 is hereby set aside.
- (iii) The Joint Memo shall form part and parcel of the order.
- (iv) All pending interlocutory applications, if any, stand disposed of.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

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