



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE S RACHAIAH

WRIT APPEAL NO. 739 OF 2025 (LR-)

BETWEEN:

1. SRI. PERNUGOWDA
S/O. LATE SHANKARAGOWDA
AGED ABOUT 79 YEARS,
RESIDING AT KUDELU HOUSE,
BELLIPADY VILLAGE,
PUTTURU TALUK,
D K DISTRICT - 574 241.
2. SRI. SUBASH,
S/O. LATE MAYILAPPA GOWDA,
AGED ABOUT 42 YEARS,
RESIDING AT KUDELU HOUSE,
BELLIPADY VILLAGE, PUTTURU TALUK,
DK DISTRICT - 574 241.
3. SRI RAMANNA GOWDA
S/O. KORAGAPPA GOWDA,
AGED ABOUT 58 YEARS,
RESIDING AT KUDELU HOUSE,





BELLIPADY VILLAGE, PUTTURU TALUK,
DK DISTRICT – 574 241.

4. SRI. PADMANABA GOWDA
S/O. LATE MANJAPPA GOWDA,
AGED ABOUT 75 YEARS,
RESIDING AT KUDELU HOUSE,
BELLIPADY VILLAGE, PUTTURU TALUK,
D K DISTRICT – 574 241.

...APPELLANTS

(BY SRI. G BALAKRISHNA SHASTRY, ADVOCATE FOR
SRI. M.S. VENUGOPAL, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY ITS PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU – 560 001.
2. THE LAND TRIBUNAL
PUTTUR TALUK, PUTTUR,
DK DISTRICT – 574 201.
REPRESENTED BY ITS CHAIRMAN.
3. SMT. SHAKUNTALA,
WIFE OF DASANNA ALVA,



AGED ABOUT 65 YEARS,
RESIDING AT KOMBARETTUR HOUSE,
KEMMINJE VILLAGE, PUTTUR TALUK,
DK DISTRICT – 574 202.

4. SMT NAVEENA KUMARI,
AGED ABOUT 62 YEARS,
WIFE OF DASANNA ALVA,
RESIDING AT KOMBARETTUR HOUSE,
KEMMINJE VILLAGE, PUTTUR TALUK,
DK DISTRICT – 574 202.

5. SRI. SHWETHA PRAKASH RAI
S/O. DASANNA ALVA,
AGED ABOUT 60 YEARS,
RESIDING AT KOMBARETTUR HOUSE,
KEMMINJE VILLAGE,
PUTTUR TALUK,
DK DISTRICT – 574 202.

6. SMT. JAYALALITHA RAI
D/O. DASANNA ALVA,
AGED ABOUT YEARS,
RESIDING AT KOMBARETTUR HOUSE,
KEMMINJE VILLAGE,
PUTTUR TALUK,
DK DISTRICT – 574 202.



7. SRI. KUSHALAPPA GOWDA,
AGED ABOUT MAJOR,
S/O. SHANKARA GOWDA,
RESIDING AT
KOOTELU HOUSE,
BALLIPADY VILLAGE,
PUTTUR TALUK,
D.K DISTRICT – 574 241.

...RESPONDENTS

(BY SRI. MOHAMMAD JAFFAR SHAH, AGA FOR R1 AND R2;
SRI. S RAJASHEKAR, ADVOCATE FOR R3-R6;
NOTICE TO R7 IS DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER PASSED
BY THE LEARNED SINGLE JUDGE IN WP NO.24248/2022(LR)
DATED 24/04/2025 AND ALLOW THE WRIT PETITION AS
PRAYED BY ALLOWING THIS WRIT APPEAL AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE S RACHAIAH



ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present intra-court appeal has been filed impugning the judgment and order dated 24.04.2025 passed by the learned Single Judge in Writ Petition No.24248/2022 instituted by the petitioners/appellants.

2. The petitioners have filed the writ petition challenging the order passed by the Land Tribunal, denying the occupancy certificate in respect of the lands bearing Survey Nos.14/1, 14/2, 14/4, 14/5 of Bellipady Village, Puttur Taluk, Dakshina Kannada District, owned by Rajivi Rai.

3. The Tribunal as well as the learned Single Judge, on the basis of the documents and evidence, have recorded a categorical finding that there is nothing on record to suggest that the petitioners were ever in possession of the lands in question after 31.03.1970. The finding has also been recorded that the possession was handed over by the petitioners/tenants in 1970 through the execution of the decree proceedings in Original Suit No.158/1972.



4. The findings recorded by the learned Tribunal as well as the learned Single Judge are based on the evidence on record. We are not sitting in a regular first appeal to re-examine the evidence examined by the learned Tribunal and learned Single Judge. Therefore, we find no merit in this writ appeal. It is hereby ***dismissed***.

In view of the dismissal of the appeal, pending I.A., if any, does not survive for consideration and the same is disposed of.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(S RACHAIAH)
JUDGE**

BSS
List No.: 2 Sl No.: 19