



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO. 840 OF 2025 (KLR-RES)

BETWEEN:

1. SRI. VEERESH
S/O LATE RUDRAPPA POOJARI,
AGED ABOUT 26 YEARS,
2. MISS. MEGHA
D/O LATE RUDRAPPA POOJARI,
AGED ABOUT 28 YEARS,
3. SMT. S. BASAMMA
W/O LATE RUDRAPPA POOJARI,
AGED ABOUT 45 YEARS,

ALL ARE R/O HALIVANA VILLAGE
HARIHARA TALUK,
DAVANAGERE DISTRICT - 577530.

...APPELLANTS

(BY SRI. VIRUPAKSHAIAH P.H., ADVOCATE)

AND:

1. THE ASSISTANT COMMISSIONER
AND LAND TRIBUNAL,
DAVANAGERE SUB-DIVISION,
DAVANAGERE- 577 213.
2. THE TAHASILDAR
CHANNAGIRI TALUK,
DAVANAGERE DISTRICT-577 213.





3. SRI. BASAVANNA DEVARU
AN UNREGISTERED TEMPLE,
SITUATED AT SAGARAPETE VILLAGE,
HAROSAGARA HOBLI, CHANNAGIRI TALUK,
DAVANAGERE DISTRICT - 577 213.
REPRESENTED BY ITS ARCHAK SRI. VEERESH
...RESPONDENTS
(BY SRI. MOHAMMAD JAFFAR SHAH, AGA FOR R1 & R2;
SRI. GIREESHA R.J, ADVOCATE FOR R3(VC))

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO CALL FOR THE RECORDS IN WP
NO.5125/2025 AND SET ASIDE THE ORDER DATED 21/03/2025
IN WP 5125/2025 PASSED BY THE LEARNED SINGLE JUDGE BY
ALLOWING WP NO.5125/2025 FILED BY THE
APPELLANTS/PETITIONERS HEREIN, 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 T.M.NADAF

ORAL JUDGMENT

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

The present intra Court appeal has been filed
impugning the judgment and order dated 21.03.2025
passed by the learned Single Judge in W.P.No.5125/2025
(KLR-RES), filed by the appellants herein.

2. The parties are referred to as per their ranking
before the writ Court, for the sake of convenience.



3. The father of the petitioner Nos.1 and 2 and husband of petitioner No.3, late Rudrappa Poojari, had filed an application in Form No.7A as provided under Section 48A of the Karnataka Land Reforms Act, 1961 stating therein that the land in question was in his position as a tenant before 01.03.1974. The said application of Sri Rudrappa Poojari came to be dismissed by the Assistant Commissioner on 08.11.2005. Sri Rudrappa Poojari died in the year 2007. The appeal by the petitioners before the Land Tribunal was filed in the year 2021 i.e., after 15 long years from the date of death of Rudrappa Poojari. Sri Rudrappa Poojari never challenged the order dated 08.11.2005 during his lifetime before the Land Tribunal. The Tribunal therefore, dismissed the appeal filed by the petitioners and the said order passed by the Land Tribunal came to be challenged before the learned Single Judge.

4. The learned Single Judge having noticed the aforesaid fact that the order dated 08.11.2005 was never challenged by Sri Rudrappa Poojari during his lifetime i.e.



up to 2007 until he died and the appeal came to be filed after 15 long years from the date of the order dated 08.11.2005 passed by the Assistant Commissioner, who had rejected the application filed in Form No.7A.

5. We are in total agreement with the impugned judgment and order dated 21.03.2025 passed by the learned Single Judge. Therefore, we ***dismiss*** this appeal, however, no order as to costs.

6. In view dismissal of the appeal, pending interlocutory application, if any do not survive for consideration, hence stand disposed of.

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

**Sd/-
(T.M.NADAF)
JUDGE**