



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF OCTOBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE RAJESH RAI K

WRIT APPEAL NO. 1053 OF 2024 (KLR-RES)

BETWEEN:

1. SMT NANJAMMA
W/O LATE SIDDALINGEGOWDA,
AGED ABOUT 57 YEARS,
2. SMT SUSHELAMMA
W/O LATE SHIVANNA,
AGED ABOUT 51 YEARS,

ALL ARE RESIDING AT
GULENAHLLI VILLAGE,
KADABA HOBLI,
GUBBI TALUK,
TUMKUR-572 219.

Digitally signed by
PANKAJA S
Location: HIGH
COURT OF
KARNATAKA

...APPELLANTS

(BY SRI. T PRAKASH, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP BY ITS SECRETARY,
DEPARTMENT OF REVENUE
M.S BUILDING,
DR AMBEDKAR VEEDHI,
BENGALURU-560 001.



2. THE DEPUTY COMMISSIONER
TUMKUR DISTRICT,
TUMKUR-572101.
3. THE ASSISTANT COMMISSIONER
TUMKUR SUB-DIVISION,
TUMKUR-572 101.
4. THE TAHASILDAR
GUBBI TALUK,
GUBBI-572 216.
5. SRIKANTEGOWDA
S/O LATE BOREGOWDA,
AGED ABOUT 62 YEARS,
RESIDING AT GOLENAHALLI VILLAGE,
KADABA HOBLI,
GUBBI TALUK-572 216.

...RESPONDENTS

(BY SMT. M.N. SUDEV HEGDE, AGA)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 05.06.2024 PASSED BY THE LEARNED SINGLE JUDGE IN WP No-28585/2023 (KLR-RES) AND ALLOW THE WP No-28585/2023(KLR-RES) AND TO PASS SUCH OTHER ORDERS AS DEEMED NECESSARY IN THE ENDS OF JUSTICE.

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 RAJESH RAI K



ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE RAJESH RAI K)

This intra Court appeal has been filed challenging the order passed by the learned Single Judge in W.P.No.28585/2023 dated 05.06.2024, whereby the learned Single Judge has dismissed the writ petition.

2. The grievance of the petitioners before the learned Single Judge is that in pursuance to the application made by the contesting respondent, the revenue authorities have changed the mutation in respect of the land in question as per MRT3-2021-2022 dated 17.07.2021 and the same was challenged before the Assistant Commissioner. Thereafter, the Assistant Commissioner directed to enter the Khata in the names of all the petitioners and the contesting respondent, which was affirmed by the Deputy Commissioner.

3. On perusal of the order of the learned Single Judge and the records placed before us, it could be gathered that there is a civil suit in O.S.No.1/2019 which is pending on the file of the learned Civil Judge and JMFC, Gubbi between the petitioners and respondents, who are the family members, for



partition of the land in question. As such, learned Single Judge has rightly relegated the parties to approach the Civil Court for adjudication of their rights. We find no error in the impugned order. Accordingly, the writ appeal lacks merits and same is ***dismissed.***

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

**SD/-
(RAJESH RAI K)
JUDGE**

CR
List No.: 1 Sl No.: 17