



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 23<sup>RD</sup> DAY OF MARCH, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE M.I.ARUN**

**WRIT PETITION NO.22001 OF 2021 (LB-RES)**

**BETWEEN:**

1. SRI. ANANDAPPA  
S/O LATE GUNDDEGOWDA  
AGED ABOUT 66 YEARS  
R/AT KOTHAGERE VILLAGE  
KASABA-KOTHAGERE HOBLI,  
KUNIGAL TLAUK  
TUMKUR DISTRICT - 572 130.
2. SRI. SUNIL KUMAR K M  
S/O LATE MARIYAPPA K G  
AGED ABOUT 34 YEARS  
R/AT #21, 1ST MAIN ROAD,  
SRINIDHI LAYOUT, HEROHALLI  
BANGALORE - 560 091.
3. SRI. JAGADISH K G  
S/O LATE GUNDAPPA  
AGED ABOUT 38 YEARS  
R/AT KOTHAGERE VILLAGE  
KASABA-KOTHAGERE HOBLI  
KUNIGAL TALUK  
TUMKUR DISTRICT - 572 130.

Digitally  
signed by  
GEETHA P G  
Location:  
HIGH  
COURT OF  
KARNATAKA

...PETITIONERS

(BY SRI. K.N. ARVINDA NAVADA, ADVOCATE)



**AND:**

1. THE SECRETARY  
KOTHAGERE GRAMA PANCHAYATH  
KASABA KOTHAGERE PANCHAYATH  
KUNIGAL TALUK  
TUMKUR DISTRICT - 572 130.
2. THE PANCHAYATH DEVELOPMENT OFFICER  
KOTHAGERE GRAMA PANCHAYATH  
KASABA KOTHAGERE PANCHAYATH  
KUNIGAL TALUK  
TUMKUR DISTRICT - 572 130.
3. THE EXECUTIVE OFFICER  
TALUK PANCHAYATH  
KUNIGAL TALUK  
TUMKUR DISTRICT - 572 130.
4. \*SMT. GANGAMMA  
W/O. LATE THIRUMAILAIH  
AGED ABOUT 66 YEARS  
R/AT NO.139, 5<sup>TH</sup> 'E' MAIN  
BHOVI COLONY  
BASAVESHWARANAGARA  
BENGALURU - 560 079.
5. SMT. BORAMMA  
W/O. LATE RANGASWAMIAH  
R/AT KOTHAGERE VILLAGE  
KASABA-KOTHAGERE HOBLI  
KUNIGAL TALUK  
TUMKUR DISTRICT-572 130.
6. SMT. SAKAMMA  
W/O LATE HONNAIAH @ KRISHNAPPA  
AGED ABOUT 59 YEARS  
R/AT NO.227, 6<sup>TH</sup> MAIN  
12<sup>TH</sup> CROSS, MUTTURAYASWAMY LAYOUT  
SUNKADAKATTE  
BENGALURU-560 091.

...RESPONDENTS

\* Corrected vide court order dated 14.07.2026.



(BY SRI. A. NAGARAJAPPA, ADVOCATE FOR R.1 TO R.3;  
SRI. H.P. LEELADHAR, ADVOCATE FOR R.4 TO R.6.)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE IMPUGNED REMINDER DATED 04.10.2021 AND 29.10.2021 ISSUED BY THE RESPONDENT NOS.2 AND 3, VIDE ANNEXURES-A AND B, ETC.

THIS PETITION, COMING ON FOR ORDERS THROUGH PHYSICAL HEARING/VIDEO CONFERENCING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.I.ARUN

### **ORAL ORDER**

Based on the documents made available, authorities have taken a decision to mutate the khata in respect of site Nos.193, 194 and 194A of Kothagere Village which is the subject matter of the writ petition in favour of respondent Nos.4 to 6. The grievance of the petitioners is that they are the owners of Site Nos.197 and 198 of the same village and in the guise of making the khata in favour of the petitioners in respect of Site Nos.193, 194 and 194A, a portion of the property belonging to the petitioners is sought to be encroached. Hence, the present writ



petition is filed with a prayer to quash the letters dated 04.10.2021 and 29.10.2021 written by respondent Nos.2 to 3 and respondent Nos.3 to 2 vide Annexures-'A' and 'B' to the writ petition respectively.

2. The case of respondent Nos.4 to 6 are that they are seeking khata to be made in their names only in respect of site Nos.193, 194 and 194A and they are not concerned with Site Nos.197 and 198.

3. Learned counsel for respondent Nos.1 to 3 submits that khata is being made in favour of respondent Nos.4 to 6 only in respect of Site Nos.193, 194 and 194A and not in respect of Site Nos.197 and 198. It is further submitted that the same is made on the documents made available to the concerned authorities. He also submits that if there is any contrary order by the competent Civil Court, the same will be given effect to.

4. Admittedly, khata is being done in favour of respondent Nos. 4 to 6 in respect of Site Nos.193, 194 and 194A and not in respect of Site Nos.197 and 198. Further, khata does not determine the title of a person to the property concerned. If



the property of the petitioners is sought to be encroached upon by respondent nos.4 to 6, in the guise of having khata over Site Nos.193, 194 and 194A, then in that event, respondent Nos.4 to 6 have all the rights to approach the Civil Court of competent jurisdiction and get necessary orders. Further, even with regard to Site Nos.193, 194 and 194A, authorities concerned are required to verify the documents and follow the procedure established in law and only thereafter, if the petitioners are found eligible, khata will be mutated in their name.

5. The writ petition accordingly, stands ***dismissed*** subject to the aforementioned observations.

**Sd/-  
(M.I.ARUN)  
JUDGE**