



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

REVIEW PETITION NO. 745 OF 2022

BETWEEN:

1. SRI RAMAKRISHNA PRASAD
SON OF LATE RAMACHANDRA PRASAD
AGED ABOUT 80 YEARS
RESIDING AT THAMBIHALLI VILLAGE
HUTTURU HOBLI, KOLAR TALUK & DISTRICT - 563 103.
2. SRI T R VISHWANATH
SON OF LATE RAMACHANDRA PRASAD
AGED ABOUT 78 YEARS
RESIDING AT THAMBIHALLI VILLAGE
HUTTURU HOBLI, KOLAR TALUK & DISTRICT - 563 103.
3. SRI R SOMASUNDARA PRASAD
SON OF LATE RAMACHANDRA PRASAD
AGED ABOUT 66 YEARS
RESIDING AT THAMBIHALLI VILLAGE
HUTTURU HOBLI
KOLAR TALUK & DISTRICT - 563 103.
4. SRI T R ANANTHARAM PRASAD
SON OF LATE RAMACHANDRA PRASAD
AGED ABOUT 60 YEARS
RESIDING AT THAMBIHALLI VILLAGE
HUTTURU HOBLI
KOLAR TALUK & DISTRICT - 563 103.

...PETITIONERS

(BY SRI. T N VISWANATHA., ADVOCATE)





AND:

1. THE DEPUTY COMMISSIONER
KOLAR DISTRICT
KOLAR - 563 103.
2. SRI GOPALASWAMY DEVASTHANA
THAMBIHALLI VILLAGE
REPTD. BY ITS TAHASILDAR
KOLAR TALUK & DISTRICT 563 103.

(RESPONDENTS NO.3 TO 8 DELETED
AS PER HON'BLE COURT ORDER DATED 24.02.2026)

SMT. JAYAMMA
SINCE DEAD BY LRs

9. SMT KRISHNAVENAMMA
WIFE OF LATE T R NARASIMHA MURTHY
SINCE DEAD BY LRs
(RESPONDENT NO. 10 TO 15
ALREADY ON RECORD)
10. SRI RAGHAVENDRA T N
SON OF LATE T R NARASIMHA MURTHY
AGED ABOUT 57 YEARS
RESIDING AT NO. 1172, 1ST CROSS
OPP. TO RAMAKRISHNA FLOOR MILLS
SHARADA TALKIES ROAD
KOLAR - 563 102.
11. SRI SUDHEENDRA RAO T N
SON OF LATE T R NARASIMHA MURTHY
AGED ABOUT 55 YEARS
RESIDING AT NO 1172, 1ST CROSS
OPP. TO RAMAKRISHNA FLOOR MILLS
SHARADA TALKIES ROAD
KOLAR - 563 102.
12. SRI VIJAYENDRA RAO T N
SON OF LATE T R NARASIMHA MURTHY



AGED ABOUT 52 YEARS
RESIDING AT NO 1172, 1ST CROSS
OPP. TO RAMAKRISHNA FLOOR MILLS
SHARADA TALKIES ROAD
KOLAR - 563 102.

13. SRI T N ANIL KUMAR
SON OF LATE T R NARASIMHA MURTHY
AGED ABOUT 49 YEARS
RESIDING AT NO 1172, 1ST CROSS
OPP. TO RAMAKRISHNA FLOOR MILLS
SHARADA TALKIES ROAD
KOLAR - 563 102.

14. SRI MADHUSUDAN T N
SON OF LATE T R NARASIMHA MURTHY
AGED ABOUT 46 YEARS
RESIDING AT NO 1172, 1ST CROSS
OPP. TO RAMAKRISHNA FLOOR MILLS
SHARADA TALKIES ROAD
KOLAR - 563 102.

15. SMT. SUDHA
D/O LATE T R NARASIMHA MURTHY
AGED ABOUT 60 YEARS
RESIDING BEHIND ST.ANN'S SCHOOL
P C LAYOUT
KOLAR - 563 101.

[CAUSE TITLE AMENDED AS PER COURT ORDER]

...RESPONDENTS

(BY SMT. RADHA RAMASWAMY, AGA FOR R1;
SRI. ABHINAY Y T, ADVOCATE FOR R10 - R14;
V/O DATED 24.02.2026 NOTICE TO R-2 IS D/W;
V/O DT. 24.2.2026 R3-R8 ARE PERMITTED TO
BE DELETED;
V/O DT. 24.2.2026 R10-R15 ARE TREATED AS
LRS OF DECEASED R9)



THIS RP IS FILED UNDER ORDER XLVII RULE 1 OF THE CODE OF CIVIL PROCEDURE, 1908 PRAYING TO REVIEW THE ORDER DATED 12.08.2021 PASSED IN WRIT APPEAL. NO. 534/2021 ON THE FILE OF THIS HON'BLE COURT IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION, COMING ON FOR REPORTING SETTLEMENT, 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)

Heard the learned counsel for the review petitioners and the learned counsel appearing for the party/respondents. We have also heard the learned Government Advocate.

2. It is submitted by the learned counsel appearing for the parties that the dispute between the



parties has been amicably settled. The private respondents have agreed to withdraw the claim of tenancy that had been set up by their paternal grandmother, Jayamma. Learned counsel appearing for the review petitioners submits that the application filed by the predecessor-in-interest of the respondents was under the provisions of the Mysore (Religious and Charitable) Inams Abolition Act, 1955 (for short "Act, 1955") and therefore the order passed by the Special Deputy Commissioner was in accordance with law. It is contended that, in that view of the matter, the direction issued by the learned Single Judge remanding the matter to the Land Tribunal for fresh consideration was unwarranted. Learned counsel further submits that this aspect had been specifically urged before the Division Bench but was not considered.

3. On perusal of the records, the application filed by the grandmother of private respondents is in respect of lands attached to Sri.Venugopalaswamy temple and therefore, it presupposes that the claim is one made under



the provisions of the Act, 1955. The Scheme of the said enactment clearly indicates that on abolition of the Act, 1955, all questions relating to determination of land, the identification of Inamdar and the rights of the persons claiming occupancy or tenancy in respect of such lands are required to be adjudicated by the statutory authority constituted under the Act. In particular, Section 7 of the Act, 1955, provides for registration of occupants and contemplates an enquiry by a Special Deputy Commissioner to determine whether the applicant is entitled to be registered as an occupant. Thus, the statute vests exclusive jurisdiction in the Special Deputy Commissioner to examine the rival claims relating to Inamdarship as well as tenancy in respect of Inam lands. In the present case, the learned counsel appearing for the private respondents admits that the respondents' claim is traceable to the provisions of the Act, 1955. Once the respondents themselves assert a right under the enactment, the necessary consequence is that the



adjudication of such claim must be undertaken by the authority designated under the statute namely the Special Deputy Commissioner.

4. Having considered the rival submissions, we are of the opinion that it is not in dispute that the claim for tenancy rights by Jayamma was made under the provisions of the Act, 1955. The respondents have also admitted the said factual position. In such circumstances, the Special Deputy Commissioner was the competent authority to examine the claim. The Special Deputy Commissioner, upon consideration of the material on record, came to the conclusion that Jayamma had no valid claim for tenancy and accordingly rejected the application filed by her. In view of the admitted factual position and the statutory framework governing the claim, we find merit in the review petition. Consequently, the judgment under review passed by the Division Bench is recalled.



Writ appeal is restored to file.

The review petition is accordingly, ***allowed***.

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

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

ALB
List No.: 1 Sl No.: 1