



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT APPEAL NO. 1818 OF 2025 (KLR-RES)

C/W

WRIT APPEAL NO. 1840 OF 2025 (KVOA)

IN WA No. 1818/2025

BETWEEN:

1. SRI K N RAMACHANDRA
S/O LATE NAGARAJU,
AGED ABOUT 61 YEARS,
RESIDENT OF S. I. KODIHALLI VILLAGE,
K GOWDAGERE POST,
KERAGODU HOBLI,
MANDYA TALUK 571401
2. SRI K N DAYANANDAMURTHY
S/O LATE NAGARAJU,
AGED ABOUT 67 YEARS,
3. SRI DEVARAJU
S/O LATE NAGARAJU,
AGED ABOUT 50 YEARS,
4. SMT ANNAPOORNA
W/O LATE PAPACHI,





AGED ABOUT 62 YEARS,

5. SMT NAGALAKSHMI
D/O LATE PAPACHI,
AGED ABOUT 42 YEARS,

RESIDENT OF S. I. KODIHALLI VILLAGE,
K. GOWDAGERE POST,
KERAGOUDU HOBLI,
MANDYA TALUK 571401

...APPELLANTS

(BY SRI. JANARDHANA G, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
VIDHANA SOUDHA,
DR B R AMBEDKAR VEEDHI,
BENGALURU 560001
2. THE DEPUTY COMMISSIONER
MANDYA DISTRICT,
MANDYA 571401
3. THE ASSISTANT COMMISSIONER
MANDYA SUB DIVISION,
MANDYA 571401
4. THE TAHASILDAR
MANDYA TALUK ,
MANDYA 571401
5. SMT BORAMMA
W/O LATE SIDDA,
AGED ABOUT 89 YEARS,
RESIDENT OF S I KODIHALLI VILLAGE,
K GOWDAGERE POST,



KERAGODU HOBLI,
MANDYA TALUK 571401

6. SRI K SHIVARAMU
(SINCE DECEASED BY LRS.,

6.1. SMT SUMA.S
D/O K. SHIVARAMU,
W/O KEMPARAJU.M
AGED ABOUT 45 YEARS,

6.2. SMT SUNITHA.S
D/O K. SHIVARAMU,
W/O ASHOK S
AGED ABOUT 43 YEARS,

6.3. SRI MAHENDRA
S/O K. SHIVARAMU,
AGED ABOUT 41 YEARS,

6.4. KUM. BHANUMATHI.S
D/O K. SHIVARAMU,
AGED ABOUT 39 YEARS,

6.1 TO 6.4 R/AT S.I. KODIHALLI VILLAGE,
K.GOWDAGERE POST,
KERAGODU HOBLI,
MANDYA TALUK-571 401

7. SRI K S PUTTARAMU
S/O LATE SIDDA,
AGED ABOUT 69 YEARS,

8. SRI SIDDARAJU
S/O LATE SIDDA,
AGED ABOUT 53 YEARS,

RESPONDENT NOS.7 & 8 ARE
RESIDENT OF S. I. KODIHALLI VILLAGE,
K GOWDAGERE POST,



KERAGODU HOBLI,
MANDYA TALUK 571401

NOTE: A PER THE COURT ORDER DATED
06.08.2025 RESPONDENT NOS.9 TO 24 WERE
DELETED. HENCE, THEY ARE
NOT MADE AS PARTIES

...RESPONDENTS
(BY SMT. NAMITHA MAHESH B G, AGA FOR R1 TO R4)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET-ASIDE THE LEARNED
SINGLE JUDGES ORDER DISMISSING THE WRIT PETITION
NO.25469/2023 DATED 28/10/2025 HOLDING THAT THE WRIT
PETITION IS PREMATURE AND RELEGATING THE POWER TO
THE DISTRICT JUDGE, MANDYA TO REDECIDE THE CASE
AND CONSEQUENTLY ALLOW THE WRIT APPEAL AS PRAYED
FOR.

IN WA NO. 1840/2025

BETWEEN:

1. SRI K N RAMACHANDRA
S/O. LATE NAGARAJU,
AGED ABOUT 61 YEARS,
RESIDENT OF S.I. KODIHALLI VILLAGE,
K.GOWDAGERE POST,
KERAGODU HOBLI,
MANDYA TALUK - 571 401
2. SRI.K.N.DAYANANDAMURTHY,
S/O. LATE NAGARAJU,
AGED ABOUT 67 YEARS,
3. SMT.ANNAPOORNA,
W/O. LATE PAPACHI,
AGED ABOUT 62 YEARS,



4. SMT. NAGALAKSHMI,
D/O. LATE PAPACHI,
AGED ABOUT 42 YEARS,
5. SRI. DEVARAJU,
S/O. LATE NAGARAJU,
AGED ABOUT 50 YEARS,

APPELLANT NOS.2 TO 5 ARE
RESIDENTS OF S.I. KODIHALLI VILLAGE,
K.GOWDAGERE POST,
KERAGOUDU HOBLI,
MANDYA TALUK - 571401

...APPELLANTS

(BY SRI. JANARDHANA G, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
VIDHANA SOUDHA,
DR.B.R.AMBEDKAR VEEDHI,
BENGALURU - 560 001
2. THE DEPUTY COMMISSIONER,
MANDYA DISTRICT,
MANDYA 571 401.
3. THE ASSISTANT COMMISSIONER,
MANDYA SUB DIVISION,
MANDYA 571 401.
4. THE TAHASILDAR,
MANDYA TALUK,
MANDYA 571 401
5. SMT. BORAMMA,
W/O. LATE SIDDA,



AGED ABOUT 89 YEARS,

6. SMT.SUMA.S,
D/O. K.SHIVARAMU,
W/O. KEMPARAJU.M,
AGED ABOUT 45 YEARS,
7. SMT.SUNITHA.S,
D/O. K.SHIVARAMU,
W/O. ASHOK.S,
AGED ABOUT 43 YEARS,
8. SRI. MAHENDRA,
S/O. K.SHIVARAMU,
AGED ABOUT 41 YEARS.
9. KUM.BHANUMATHI.S,
D/O. K.SHIVARAMU,
AGED ABOUT 39 YEARS,
10. SRI.K.S.PUTTARAMU,
S/O. LATE SIDDA,
AGED ABOUT 69 YEARS,
11. SRI.SIDDARAJU,
S/O. LATE SIDDA,
AGED ABOUT 53 YEARS,

RESPONDENT NOS.5 TO 11 ARE
RESIDENTS OF S.I. KODIHALLI VILLAGE,
K.GOWDAGERE POST,
KERAGOUDU HOBLI,
MANDYA TALUK - 571401

NOTE: SINCE NO RELIEF IS SOUGHT AGAINST
RESPONDENT NOS.6 TO 21 THEY ARE
NOT MADE AS PARTIES IN THIS APPEAL.

...RESPONDENTS

(BY SMT NAMITHA MAHESH B G, AGA FOR R1 TO R4)



NC: 2026:KHC:11945-DB
WA No. 1818 of 2025
C/W WA No. 1840 of 2025

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE LEARNED SINGLE JUDGES ORDER IN WRIT PETITION No. 36497/2024 DATED 28/10/2025 RELEGATING THE CASE TO THE DISTRICT JUDGE, MANDYA TO DECIDE ALL THE ISSUES AND CONSEQUENTLY ORDER TO HOLD THAT IN VIEW OF THE RESTORATION OF THE LAND TO THE RESPONDENTS, THE SAME HAS BEEN ENURED TO THE APPELLANTS AND CONSEQUENTLY THEY HAVE PERFECTED THEIR TITLE TO THE SCHEDULE PROPERTY UNDER A SALE DEED DATED 21.02.1969.

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

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE C.M. POONACHA)

1. The above *intra* Court appeals are filed calling in question the common order dated 28.10.2025 [**impugned order**] passed in Writ Petition No.25469/2023 (KLR-RES), Writ Petition No.36497/2024 (KVOA) and Writ Petition No.10190/2025 (KVOA), which were heard and disposed of together by the learned Single Judge.



2. Writ Petition No.25469/2023 was filed by the appellants praying to declare that by virtue of Sale Deed dated 21.02.1969 the right and possession over the property purchased therein has become perfect on re-granting the same to one Sri Sidda s/o Singri Bora. Writ Petition No.36497/2024 which was filed by the private respondents challenging the order dated 03.12.2024 passed in MA(VOA) No.9/2023 by the I Additional District and Sessions Judge, Mandya [**District Court**]. Another Writ Petition (being WP.No.10190/2025) filed by the present appellants was also the subject matter of the impugned order. In the said Writ Petition (WP.No.10190/2025) the appellants had challenged the order dated 01.02.2025 passed by the Assistant Commissioner, Mandya, in No.RR.CR.708/2024-25, which were revenue proceedings.

3. The relevant facts are that one late Sri Sidda s/o Singri Bora had made an application before the respondent No. 2 - Deputy Commissioner for Inams Abolition, Mandya, for grant of various extents of land in different survey numbers in Kodihalli village, Mandya Taluk. Vide order dated 20.02.1962 passed in No.A-1.RC-II.G.R.1917/60-61 by the Special Deputy Commissioner for Inams Abolition, Mysore, an extent of 1 acre of land in Sy.No.48/3 was



registered in the name of Sri Sidda as Kadim tenant under Section 4 of the Inams Abolition Act, 1955 [**Act**]. In respect of the lands in other survey numbers [Sy. No. 28, 33 and 148], it was held that they were given by Inamdar for rendering Kulwadi services and thus, are not recognized Inams and hence, the applicant i.e., Sri. Sidda was registered as a tenant under Section 6 of the Act, with regard to the said survey numbers.

4. Vide registered Sale Deed dated 21.02.1969 an extent of 1 acre of land (out of 4 acres 22 guntas) in Sy.No.28 was sold by Sri Sidda to one Smt.Seethamma. A few other alienations in the said land were also made by said Sri Sidda to different purchasers. The appellants claim to be the heirs of Smt.Seethamma. Thereafter, the said Sri. Sidda applied for re-grant of the lands under Section 5 of the Karnataka Village Offices Abolition Act, 1961. One Boraiah, Kempa Boraiah and others, belonging to another branch of the family, also filed an application for re-grant contending that they were also entitled for re-grant. The private respondents claim to be the legal representatives of said Sri Boraiah.



5. The respondent No. 4 - Tahasildar, Mandya Taluk, Mandya, vide order dated 28.09.1981, held that the alienations made by Sri. Sidda were in contravention of Section 7(1) of the Karnataka Village Offices Abolition (Amendment) Act, 1978 and directed that the alienated lands be taken into the custody of the Government and possession thereof be handed over to the grantees under Section 7(3) of the said Act. The said order was the subject matter of challenge by Smt.Seethamma and others in Writ Petition No.29942-29945/1982. A learned Single Judge of this Court vide order dated 17.07.1985 allowed the said writ petitions, quashed the order dated 28.09.1981 and directed the concerned Tahsildar to first determine whether Sy. No. 28 comes within the purview of the Karnataka Village Offices Abolition Act, 1961 and thereafter pass appropriate orders.

6. The appellants and the private respondents have litigated regarding the rights to claim re-grant in respect of the subject property. The proceedings of re-grant have been the subject matter of several rounds of remand; the latest being the order dated 03.12.2024 passed by the District Court, wherein the District Court



remanded the matter to the Tahsildar for fresh consideration after setting aside the order of the Tahsildar.

7. It was contended before the learned Single Judge that the order of remand was passed mechanically and the District Court ought to have decided the matter on merits as there were several earlier rounds of remand and that no useful purpose would be served by remanding the matter to the Tahsildar.

8. The learned Single Judge considering the writ petitions has remanded the matter to the District Court. The relevant paragraphs of the impugned order are as under:

"9. Taking note of the said facts, the order dated 03.12.2024 passed in M.A.(VOA)No.9/2023 by the Court of I Addl. District and Sessions Judge, Mandya is set aside. The matter is remitted to the learned District and Sessions Judge, Mandya to decide the appeal afresh after hearing both sides and taking note of all the records and evidences available by summoning all the records of earlier rounds of litigation from the office of Tahsildar or the previous appeal proceedings before the District Court as should be available.

10. Insofar as W.P.No.10190/2025 is concerned, it must be noticed that the order of the Assistant Commissioner at Annexure-'L' dated 01.02.2.2025 was passed on the premise that M.A.(VOA)No.09/2023 was allowed and the order of Tahsildar was set aside and accordingly had directed to include the names in the RTC after deleting the earlier revenue entries as 'Thoti Inam' in Column No.9.



11. It must be noticed that, if the endorsement at Annexure-'L' is pursuant to the setting aside of M.A. (VOA)No.9/2023, now, by virtue of setting aside of the order of Tahsildar in M.A.(VOA)No.9/2023 and remitting the matter for reconsideration to the District Court, the revenue entries as were prior to Annexure-'L' may be restored by the Tahsildar.

12. Insofar as the contention regarding protection of possession as made by learned counsel for the purchaser by relying on the observations made in Syed Basheer Ahamed (supra) and pointing out that till the application for re-grant is decided the possession of purchaser requires to be protected, such contention is kept open to be raised before the learned District and Sessions Judge while seeking appropriate relief regarding protection of possession as is sought for. This Court is not inclined to enter into such aspect of protection of possession, as the petitions are being disposed of relegating all aspects for consideration in the pending appeal in M.A.(VOA)No.9/2023. Consequent to remand, it is open for the parties to seek appropriate relief including that of protection of possession. If any request is made for protection of possession, the District Court may consider the same expeditiously.

13. Noticing that the proceedings for re-grant have been pending since 1968, the District Court may make all endeavour to pass a comprehensive order considering all the contentions and material on record within a period not later than six months from the date of receipt of certified copy of the order. It is also kept open for the District Court to seek for extension, if there are any reasons justifying such consideration.

14. The parties may appear before the District Court on 14.11.2025 without waiting for any notice. Needless to state that all contentions are kept open. Accordingly the writ petitions are disposed of."



9. It is forthcoming that the learned Single Judge has remanded the matter to the District Court to decide the appeal afresh. The learned Single Judge had also fixed a date for appearance of the parties, and all the contentions of the parties are kept aside.

10. It is the vehement contention of the learned counsel for the appellants that having regard to the judgment of the Full Bench of this Court in the case of **Syed Bhasheer Ahamed and Others Vs. State of Karnataka**¹ and in view of the Sale Deed executed in favour of their predecessors, the reliefs sought for in the Writ Petition [WP No.25469/2023] ought to have been granted. It is also contended that the possession of the appellants be protected till adjudication of the matter before the District Court.

11. The Full Bench of this Court, in the case of **Syed Bhasheer Ahamed** (*supra*), was considering a divergence of opinion between two Division Benches and in the said context, had framed three points for consideration. The first question framed for consideration is as under:-

"17. ...(i) Whether the alienee from the 'holder of Village Office' or 'authorised holder' under an alienation

¹ ILR 1994 KAR 159



which took place after the appointed date on which the Principal Act came into force (1.2.1963) and before the Amendment Act came into force (7.8.1978), would acquire title even if the re-grant under Section 5 or 6, as the case may be, is after 7.8.1978?"

12. While answering the same, the Full Bench held that the alienation of re-granted Service Inam Land during 01.02.1963 to 07.08.1978 is valid and permission for sale is only a formality.

13. In order to come to the conclusion, whether the decision of the Full Bench of this Court in the case of **Syed Bhasheer Ahamed** (supra), would enure to the benefit of the appellants and to conclude as to whether valid right, title and interest was conveyed by the vendor to the predecessor of the appellants, the aspect of re-grant was required to be adjudicated upon.

14. The said contention put forth by the appellants was considered by the learned Single Judge and it was rightly held that the order of re-grant is still a matter which was required to be decided and that the matter was remanded in order to reconsider the said aspect of re-grant.

15. The appellants had also put forth a contention regarding possession. The learned Single Judge had rightly held that it would



not be appropriate to enter into the aspect of protection of possession, since the matter was being remanded to the District Court to consider all aspects of the matter. It was specifically kept open for the parties to seek for appropriate relief including the protection of possession before the District Court.

16. The appellants have failed to demonstrate that the order of the learned Single Judge is, in any manner, erroneous and liable to be interfered with by this Court in the present appeals.

17. The above appeals are dismissed as being devoid of merit.

18. All pending applications are also disposed of.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(C.M. POONACHA)
JUDGE