



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 26TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MS. JUSTICE JYOTI M
WRIT PETITION NO. 106288 OF 2018 (LB-RES)

BETWEEN:

1. JAYAVVA W/O. BASAPPA
PUTTANNANAVAR @ HAIGUR,
AGE: 60 YEARS,
OCC: HOUSEHOLD WORK,
2. JAGADESH S/O BASAPPA
PUTTANNANAVAR @ HAIGUR,
AGE: 35 YEARS, OCC: AGRI.,
3. RAJU S/O. BASAPPA
PUTTANNANAVAR @ HAIGUR,
AGE: 30 YEARS, OCC: AGRI,

THE PETITIONERS 1 TO 3 ARE
R/O. KUPPELUR,
TALUK. RANEBENNUR,
DIST. HAVERI.

...PETITIONERS

(BY SRI. N.P.VIVEKMEHTA, ADVOCATE)

AND:

1. SHANTAVVA W/O BHOOTAPPA BALLUR,
AGE: 55 YEARS, OCC: HOUSEHOLD WORK,
2. RAJEEV S/O. BHOOTAPPA BALLUR,
AGE: 29 YEARS, OCC: STUDENT,
3. SANJEEV S/O. BHOOTAPPA BALLUR,
AGE: 25 YEARS, OCC: AGRI.,

RESPONDENTS 1 TO 3 ARE
R/O. KUPPELUR, TALUK. RANEBENNUR,
DIST. HAVERI.



4. THE PRESIDENT
ZILLA PCNCHAYAT, HAVERI,
HAVERI.
5. THE PRESIDENT,
TALUK PANCHAYAT, RANEBENNUR,
RANEBENNUR.
6. THE DEVELOPMENT OFFICER,
GRAMAPANCHAYAT, KUPPELUR,
TALUK: RANEBENNUR.

...RESPONDENTS

(BY SRI.M.H.PATIL, ADVOCATE FOR R1 TO R3;
SRI. PRASHANT.V.MOGALI, ADVOCATE FOR R4 TO R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN RELIEFS.

THIS WRIT PETITION IS LISTED FOR ORDERS, THIS DAY, AN
ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.N.P.Vivekmehta., counsel for the petitioners and
Sri.M.H.Patil., counsel for respondents 1 to 3 have appeared in
person.

2. The petition is filed seeking following reliefs:

- i) Set aside the order of 4th respondent passed in appeal
No.Ha.Zi.Pam./Pu.A-Vahi:11/2017-18 dated 03.08.2018 vide
Annexure-E and restore the resolution No.13 of Kuppelur
Gram Panchayat.
- ii) Any other writ or order direction in the facts and
circumstances of the case the Court deems fit including cost
in the interest of justice and equity.

3. The petitioners, claiming to be the absolute owners in
possession of the house bearing V.P.C. No.391 and V.P.C.



No.275 situated at Kuppelur Village, Ranebennur Taluk, have approached this Court challenging the order dated 03.08.2018 passed by the President, Zilla Panchayat.

The brief facts of the case are that respondents 1 to 3 had earlier instituted a suit for declaration and injunction against one Basappa, the husband of the first petitioner and father of petitioners 2 and 3. The said suit came to be dismissed. The appeal preferred there against was also dismissed, thereby confirming the findings of the Trial Court.

Subsequent to the death of Basappa, the petitioners sought entry of their names in the Panchayat records in respect of the properties in question. The Gram Panchayat, by its resolution dated 13.11.2013, effected such entry.

Aggrieved by the said resolution, respondents 1 to 3 preferred an appeal under Section 237(3) of the Karnataka Gram Swaraj and Panchayat Raj Act before the President, Taluk Panchayat, Ranebennur. The said appeal came to be dismissed on 16.08.2017. Thereafter, respondents 1 to 3 preferred a further appeal before the President, Zilla Panchayat, who, by



order dated 03.08.2018, allowed the appeal and set aside the resolution of the Gram Panchayat.

4. Counsel for the petitioners contends that the appeal filed before the President, Taluk Panchayat itself was not maintainable, as the statute provides that any resolution of the Gram Panchayat is to be challenged before the Executive Officer, Taluk Panchayat. It is further contended that the subsequent order passed by the Zilla Panchayat is without jurisdiction.

5. This Court has carefully considered the submissions made and perused the material on record.

6. On a plain reading of the relevant provisions of the Karnataka Gram Swaraj and Panchayat Raj Act, it is evident that any person aggrieved by a resolution of the Gram Panchayat has to prefer an appeal before the Executive Officer, Taluk Panchayat. In the present case, respondents 1 to 3, instead of approaching the competent authority, have preferred an appeal before the President, Taluk Panchayat, which is not contemplated under law. When the very initiation of proceedings is without jurisdiction, all subsequent proceedings flowing therefrom are



vitiated. Therefore, the order passed by the President, Zilla Panchayat, confirming such proceedings, is unsustainable in law.

7. Accordingly, the writ petition deserves to be allowed.

ORDER

- i. The writ petition is ***allowed***.
- ii. The order dated 03.08.2018 passed by the President, Zilla Panchayat, is hereby ***quashed***.
- iii. The resolution dated 13.11.2013 passed by the Gram Panchayat is ***restored***.

**Sd/-
(JYOTI M)
JUDGE**

MRP
List No.: 1 Sl No.: 16