



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. 116467 OF 2019 (KLR-RR/SUR)

BETWEEN:

SMT. VARAMAHALAXMI
W/O. NAGARAJ SHETTY CHITRALI,
AGE: 49 YEARS,
OCC: AGRICULTURE AND HOUSEHOLD WORK,
R/O: ABBIGERI, TQ: AND DIST: KOPPAL.

... PETITIONER

(BY SRI. M.B. HIEMATH, ADVOCATE)

AND:

1. DEPUTY COMMISSIONER, KOPPAL.
2. THE DEPUTY DIRECTOR OF LAND RECORDS,
KOPPAL.
3. THE THASHILDAR, KOPPAL.
4. KENCHAPPA S/O. ISHWARPPA SABARAD,
AGED ABOUT 56 YEARS,
OCC: AGRICULTURE,
R/O: ABBIGERI,
TQ: AND DIST: KOPPAL.
5. SHIVAREDDY S/O. SHIVAKOTTIREDDY
@ RAMASWAMY REDDY,
AGE: MAJOR, OCC: AGRICULTURE,
R/O: ABBIGERI, TQ: AND DIST: KOPPAL.

... RESPONDENTS

(BY SMT. MALA.B.BHUTE, AGA FOR R1 TO R3;
SRI. RAJASHEKHAR.R.GUNJALLI, ADVOCATE FOR R4;
NOTICE TO R5 IS SERVED)

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



THIS WRIT PETITION IS LISTED FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.M.B.Hiremath., counsel for the petitioner, Smt.Mala B.Bhute., Additional Government Advocate for respondents 1 to 3 and Sri.Rajashekhar R.Gunjalli., counsel for respondent No.4 have appeared in person.

2. The petitioner has purchased agricultural land bearing Sy. No.73/2 measuring 2 acres 31 guntas situated at Tavargeri village of Irkalgud Hobli, Taluk & District Koppal, from its owner Sri. Sangappa S/o. Sangappa Baagli for valuable consideration under a registered sale deed dated 19.12.2011. Respondent No.4, Sri. Kenchappa Sabarad is the owner of the adjacent land bearing Sy.No.73/3 measuring 9 acres. After execution of the sale deed, the petitioner applied for issuance of Form No.10. The Revenue Surveyor issued notice to all adjoining landowners, including respondent No.4, who acknowledged the notice and participated in the survey proceedings.

Subsequently, respondent No.4 filed a second appeal before the Deputy Director of Land Records, Koppal (DDLRL), seeking



cancellation of Form No.10 on the ground of alleged interference with his possession. The DDLR, by order dated 14.01.2015, rejected the appeal. Aggrieved by the said order, respondent No.4 preferred a revision under Section 50 of the Karnataka Land Revenue Act, 1964, before the Deputy Commissioner. The Deputy Commissioner, by order dated 07.11.2019, allowed the revision petition. Aggrieved by the said order, the petitioner has filed the present writ petition.

3. Counsel for the respective parties have advanced their arguments. The records have been carefully perused.

4. The principal contention urged by the petitioner is that the impugned order passed by the Deputy Commissioner is without jurisdiction. It is contended that the Deputy Commissioner is not vested with the power to entertain proceedings of the present nature under Section 50 of the Karnataka Land Revenue Act, 1964.

Upon perusal of the provisions of the Act and the material on record, it is evident that respondent No.4 had initially preferred a second appeal under Section 50 of the Act. However,



the Deputy Commissioner has exercised powers under Section 56 of the Act and allowed the revision petition. Further, it is clear that against the order passed by the DDLR, the appropriate remedy available to respondent No.4 was to approach the Joint Director of Land Records (JDLR). Instead, respondent No.4 has approached the Deputy Commissioner by filing a revision petition before an incompetent forum. In the considered opinion of this Court, the Deputy Commissioner had no jurisdiction to entertain the said proceedings or to pass the impugned order. The order is therefore without the authority of law and liable to be set aside.

5. Accordingly, a writ of certiorari is issued. The order dated 07.11.2019 passed by the Deputy Commissioner is hereby quashed.

6. As a result, the writ petition is ***allowed***.

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

RH
LIST NO.: 1 SL NO.: 35