



**IN THE HIGH COURT OF KARNATAKA,
DHARWAD BENCH**

DATED THIS THE 19TH DAY OF AUGUST, 2025

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 102535 OF 2024 (LR)

BETWEEN:

1. SMT. PREMA D/O. LAHU @ ANNAJI KULKARNI,
AFTER MARRIAGE, SMT. SUDHA
W/O. VADIRAJ MALAGI,
AGE: 69 YEARS, OCCU: HOUSE WIFE,
R/O: PAVAN PARK SADANKERI,
KELGERI ROAD, DHARWAD – 580 007.
2. SMT. PUSHPA D/O. LAHU @ ANNAJI KULKARNI,
AFTER MARRIAGE SMT. RAMA W/O. ULAS KULAKARNI,
R/O: C, 2/4, SHANTIBAN SOCIETY,
NER KEALAYA POLICANIC, KOTHRUD PUNE – 38.

SMT. SUMAN D/O. LAHU @ ANNAJI KULKARNI,
AFTER MARRIAGE, SMT. SUNITA
W/O. SHANKAR KULKARNI,
SINCE DECEASED BY LR's
3. SHRI. DEEPAK S/O. SHANKAR KULKARNI,
AGE: 43 YEARS, OCC: AGRICULTURE,
R/O 2633, 'A' WARD NEW MAHADWAR ROAD,
KOLHAPUR, MAHARASTRA—41012.
4. SHRI. SANDEEP S/O. SHANKAR KULKARNI,
AGED: 43 YEARS, OCC: BUSINESS,
R/O: 2633, 'A' WARD NEW MAHADWAR ROAD,
KOLHAPUR, MAHARASTRA — 41012.
5. SHRI. VIJAY S/O. SHANKAR KULKARNI,
AGED: 41 YEARS, OCC: BUSINESS,
R/O: 2633, 'A' WARD NEW MAHADWAR ROAD,
KOLHAPUR, MAHARASTRA—41012.

Digitally signed
by GIRIJA A.
BYAHATTI
Location: High
Court of
Karnataka,
Dharwad Bench,
Dharwad



SMT. INDUMATI D/O. LAHU @ ANNAJI KULKARNI,
AFTER MARRIAGE, SMT. SUDHA
W/O. PANDIT DAPTARDAR,
SINCE DECEASED BY HER LR's

6. SHRI. ASHOK S/O. PANDIT DAPTARDAR,
AGE: 56 YEARS, OCC: PRIVATE SERVICE,
R/O: AT & POST SHINDIKURUBET,
TAL: GOKAK, DIST: BELAGAVI – 591 306.
7. SHRI. NITIN S/O. MADHUKARRAO KULKARNI,
AGE: 62 YEARS OCC: PRIVATE JOB,
R/O: ACHAR GALLI, SHAHAPUR,
TQ & DIST: BELAGAVI-591306.

...PETITIONERS

(BY SRI. S R HEGDE AND ASSOCIATES., ADVOCATES)

AND:

1. THE STATE OF KARNATAKA,
R/BY ITS SECRETARY,
TO THE REVENUE DEPARTMENT,
M.S. BUILDING, BENGALURU – 01.
2. THE LAND TRIBUNAL,
R/BY ITS SECRETARY,
TQ & DIST: BELAGAVI – 01.

SRI. APPANNA
S/O. SIDDAPPA PATIL @ MUDIGOUDAR,
SINCE DECEASED BY LR'S

3. SRI. ANAND S/O. APPANNA PATIL @ MUDIGOUDAR,
R/O. SHAGANAMATTI VILLAGE,
TQ & DIST: BELAGAVI – 590 020.

SRI. SHANKAR S/O. SIDDAPPA PATIL @ MUDIGOUDAR,
SINCE DECEASED BY LR's

4. SRI. BASAVANNI S/O. SHANKAR PATIL @ MUDIGOUDAR,
OCC: AGRICULTURE,
R/O. SHAGANAMATTI VILLAGE,
TQ & DIST. BELAGAVI – 590 020.



5. SRI. MAHADEV
S/O SHANKAR PATIL @ MUDIGOUDAR,
OCC: AGRICULTURE,
R/O. SHAGANAMATTI VILLAGE,
TQ & DIST. BELAGAVI – 590 020.
6. SRI. PARIS
S/O. SHANKAR PATIL @ MUDIGOUDAR,
OCC: AGRICULTURE,
R/O. SHAGANAMATTI VILLAGE,
TQ & DIST. BELAGAVI – 590 020.
7. SRI. BALAPPA
S/O. SHANKAR PATIL @ MUDIGOUDAR,
OCC: AGRICULTURE,
R/O. SHAGANAMATTI VILLAGE,
TQ & DIST. BELAGAVI – 590 020.
8. SRI. MAHAVEER
S/O. SHANKAR PATIL @ MUDIGOUDAR,
OCC: AGRICULTURE,
R/O: SHAGANAMATTI VILLAGE,
TQ & DIST: BELAGAVI – 590 020.
9. SRI. ADIVEPPA
S/O. SHANKAR PATIL @ MUDIGOUDAR,
OCC: AGRICULTURE,
R/O. SHAGANAMATTI VILLAGE,
TQ & DIST. BELAGAVI – 590 020.
- SHRI. NILKANTA S/O. LAHU @ ANNAJI KULKARNI,
SINCE DECEASED BY HIS LR's
10. SHRI. RAVINDRA
S/O. NILKANTA KULKARNI,
AGE: 64 YEARS, OCC: PRIVATE SERVICE,
R/O: "SHIVASHAKTI BUILDING",
VIVEKANANDA MARG, ANGOL,
TALUK & DIST: BELAGAVI – 590 006.
11. SHRI ANAND S/O. NILKANTA KULKARNI,
AGE: 59 YEARS, OCC: PRIVATE SERVICE,
R/O "SHIVASHAKTI BUILDING",
VIVEKANANDA MARG, ANGOL,



TALUK & DIST: BELAGAVI – 590 006.

12. SHRI VINOD S/O. NILKANTA KULKARNI,
AGE: 60 YEARS, OCC: PRIVATE SERVICE,
R/O: "SHIVASHAKTI BUILDING",
VIVEKANANDA MARG, ANGOL,
TALUK & DIST: BELAGAVI – 590 006.

13. SMT. JAYASHREE D/O. NILKANTA KULKARNI,
AGE: 60 YEARS OCC: PRIVATE SERVICE,
R/O: D.V. BANDIWAD,
BRAHMI APARTMENT, IIND MAIN,
IIND STAGE, PL.NO.167,
"GRAHALAXMI LAYOUT",
BASAVESHWAR NAGAR,
BANGALORE-560009.

SRI. RAGHUNATH S/O. LAHU @ ANNAJI KULKARNI,
SINCE DEAD BY LR's

14. SMT. SUREKHA W/O. RAGHUNATH KULAKARNI,
AGE: 79 YEARS, OCC: HOUSEHOLD WORK,
R/O. H.NO.86, ACHAR GALLI,
SHAHAPUR, TQ & DIST: BELAGAVI.

15. SMT. SUNIL S/O. RAGHUNATH KULAKARNI,
AGE: 56 YEARS, OCC: HOUSEHOLD WORK,
R/O. H.NO.86, ACHAR GALLI,
SHAHAPUR, TQ & DIST: BELAGAVI.

SHRI MADHUKARRAO
S/O. LAHU @ ANNAJI KULKARNI,
SINCE DEAD BY LR's

16. SMT. MALATI W/O. MADHUKARRAO KULKARNI,
AGE: 62 YEARS, OCC: HOUSEHOLD WORK,
R/O. ACHAR GALLI,
SHAHAPUR, TQ & DIST: BELAGAVI.

17. SHRI PANKAJ S/O. MADHUKARRAO KULKARNI,
AGE: 62 YEARS, OCC: HOUSEHOLD WORK,
R/O. ACHAR GALLI,
SHAHAPUR, TQ & DIST: BELAGAVI.

SHRI VASANTRAO



- S/O LAHU @ ANNAJI KULKARNI,
SINCE DEAD BY LR's
18. SMT. VIDYA W/O. VASANTRAO KULKARNI,
AGED: 64 YEARS, OCC: HOUSE WIFE,
R/O: PLOT NO. 2, CHOUGALE WADI,
DWARAKA NAGAR, BELAGAVI – 590 006.
19. SMT. MADURA D/O. VASANTRAO KULKARNI,
AGED: 36 YEARS, OCC: HOUSE WIFE,
R/O PLOT NO. 2, CHOUGALE WADI,
DWARAKA NAGAR, BELAGAVI – 590 006.
20. SMT. KALPANA D/O. VASANTRAO KULKARNI,
AGED: 33 YEARS, OCC: HOUSE WIFE,
R/O PLOT NO. 2, CHOUGALE WADI,
DWARAKA NAGAR, BELAGAVI-590006.
- SHRI GANESH
S/O. LAHU @ ANNAJI KULKARNI,
SINCE DECEASED BY HIS LR's
21. SHRI RAJENDRA S/O. GANESH KULKARNI,
AGE: 50 YEARS, OCC: PRIVATE SERVICE,
R/O 349A, WARD PADMA HOUSING COLONY,
NEAR RACE COURSE GROUND,
MANGALWAR PETH, LAGHUKUNJ,
KOLHAPUR – 416 012.
22. SHRI SANJAY S/O. GANESH KULKARNI,
AGE: 50 YEARS, OCC: PRIVATE SERVICE,
R/O 349A, WARD PADMA HOUSING COLONY,
NEAR RACE COURSE GROUND,
MANGALWAR PETH, LAGHUKUNJ,
KOLHAPUR-416012.
23. SMT. USHA W/O. GANESH KULKARNI,
AGE: 76 YEARS, OCC: PRIVATE SERVICE,
R/O 349A, WARD PADMA HOUSING COLONY,
NEAR RACE COURSE GROUND,
MANGALWAR PETH, LAGHUKUNJ,
KOLHAPUR-416012
24. SHRI SHASHIKANT
S/O. PANDIT DAPTARDAR,
AGE: 53 YEARS, OCC: BUSINESS,



R/O: AT & POST SHINDIKURUBET,
TAL: GOKAK, DIST: BELAGAVI – 591 306.

25. SHRI VISHWANATH
S/O. PANDIT DAPTARDAR,
AGE: 44 YEARS,
OCC: GOVERNMENT SERVICE,
R/O: AT & POST SHINDIKURUBET,
TAL: GOKAK, DIST: BELAGAVI – 591 306.

26. SMT. RATNAPRABHA
D/O. PANDIT DAPATARDAR,
AFTER MARRIAGE
SMT. RATNAPRABHA
W/O. BALAVANTRAO
AGE: 59 YEARS, OCC: HOUSEWIFE,
R/O: FULGADDI, POST: NADERATTI,
TAL. GOKAK, DIST: BELAGAVI – 591 224.

...RESPONDENTS

(BY SRI. T. HANUMAREDDY., AGA FOR R1 & R2;
NOTICE TO R3 TO R26 IS D/W)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF
CERTIORARI MAY KINDLY BE ISSUED SETTING ASIDE THE ORDER
PASSED BY THE RESPONDENTNO.2 IN SHAGANMATTI/SR/22-26
DATED 21-09-1998 VIDE ANNEXURE-A, TO WRIT PETITION
AND ETC.

THIS WRIT PETITION, COMING ON FOR PRELIMINARY
HEARING THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ)

1. Learned AGA accepts notice for respondents No.1 and 2. Notice to other respondents is dispensed with in view of the proposed order to be passed.
2. The petitioners are before this Court seeking for the following reliefs:
 - i. *Issue a writ of certiorari may kindly be issued setting aside the order passed by the respondent No.2 in Shaganmatti/SR/22+26 dated 21.09.1998 vide Annexure-A to writ petition.*
 - ii. *Grant such other writ or directions that this Hon'ble Court deems just and proper in the circumstances of the case may please be passed, in the ends of justice and equity.*
3. Petitioners who claim to be the legal heirs of the landlord namely Lahu Annaji Kulkarni are before this Court contending that they were not parties to the proceeding before the Land Reforms Tribunal and as such the order passed by the Land Reforms Tribunal granting occupancy rights vide order dated 21.9.1998 at Annexure-A is required to be quashed.



4. The Land Tribunal has considered the claim of the tenant and the entries made in the Record of Rights while granting occupancy rights in favour of the tenants. Insofar as the petitioners who claim to be the legal heirs of the landlord Lahu Annaji Kulkarni, most of them were born after the amendment to the Land Reforms Act, though some of them were born prior to amendment had come into force.
5. What the land Tribunal was required to consider is as regards the tenancy of the applicant and the entries made in the revenue records which have been considered. There would be no purpose now served by permitting the petitioners to challenge the said order passed in the year 1998 in a Writ Petition filed in the year 2024 after a gap of 26 years.
6. Though this Court could impose costs, I refrain from doing so the petition is ***dismissed*** as being devoid of merits as also being hopelessly barred by limitation.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE