



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 25TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MS. JUSTICE JYOTI M
WRIT PETITION NO. 61925 OF 2011 (KLR-RES)

BETWEEN:

SMT.ZAMEERA D/O ABDUL REHMAN KASHIMJI,
AGE: ABOUT 38 YEARS, OCC: AGRICULTURIST,
R/O. 130, MAIN ROAD, BHATKAL,
DIST: UTTARA KANNADA.

...PETITIONER

(BY SRI. SANGRAM.S.KULKARNI, ADVOCATE FOR
SRI.V.P.KULKARNI, ADVOCATE)

AND:

1. SMT.MAHADEVI W/O MANJUNATH NAIK,
AGE: ABOUT 48 YEARS,
OCC: AGRICULTURIST,
VENKATAPUR VILLAGE,
TALUK: BHATKAL,
DIST: UTTARA KANNADA.
2. KRISHNA S/O MANJUNATH NAIK,
AGE: ABOUT 29 YEARS,
OCC: AGRICULTURIST,
VENKATAPUR VILLAGE,
TALUK: BHATKAL,
DIST: UTTARA KANNADA.
3. VENKAPPA S/O JATTA NAIK,
AGE: ABOUT 73 YEARS,
OCC: AGRICULTURIST,
VENKATAPUR VILLAGE,
TALUK: BHATKAL,
DIST: UTTARA KANNADA.
4. NAGAMMA D/O JATTA NAIK,
AGE: ABOUT 55 YEARS,
OCC: AGRICULTURIST,
VENKATAPUR VILLAGE,



TALUK: BHATKAL,
DIST: UTTARA KANNADA.

5. JATTEMMA @ CHANNAMMA D/O JATTA NAIK,
AGE: ABOUT 53 YEARS,
OCC: AGRICULTURIST,
VENKATAPUR VILLAGE,
TALUK: BHATKAL,
DIST: UTTARA KANNADA.
6. MASTAMMA D/O VENKATAPPA NAIK,
AGE: ABOUT 48 YEARS,
OCC: AGRICULTURIST,
VENKATAPUR VILLAGE,
TALUK: BHATKAL,
DIST: UTTARA KANNADA.
7. SHOBHA D/O VENKATAPPA NAIK,
AGE: ABOUT 25 YEARS,
OCC: AGRICULTURIST,
VENKATAPUR VILLAGE,
TALUK: BHATKAL,
DIST: UTTARA KANNADA.
8. KUSUMA D/O VENKATAPPA NAIK,
AGE: ABOUT 22 YEARS,
OCC: AGRICULTURIST,
VENKATAPUR VILLAGE,
TALUK: BHATKAL,
DIST: UTTARA KANNADA.
9. PREMA D/O VENKATAPPA NAIK,
AGE: 20 YEARS,
OCC: AGRICULTURIST,
VENKATAPUR VILLAGE,
TALUK: BHATKAL,
DIST: UTTARA KANNADA.
10. KRISHNA S/O VENKATAPPA NAIK,
AGE: ABOUT 19 YEARS,
OCC: AGRICULTURIST,
VENKATAPUR VILLAGE,
TALUK: BHATKAL,
DIST: UTTARA KANNADA.



11. KRISHNA S/O MANJUNATH NAIK,
AGE: ABOUT 31 YEARS,
OCC: AGRICULTURIST,
VENKATAPUR VILLAGE,
TALUK: BHATKAL,
DIST: UTTARA KANNADA.
12. LAXMI D/O MANJUNATH NAIK,
DECEASED
- 12A. RAGHAVENDRA S/O. VENKATRAM NAIK
AGE: 20 YEARS, OCC: STUDENT
- 12B. KESHAV S/O. VEKATARAM NAIK
AGE: 18 YEARS, OCC; STUDENT,
- 12C. LATA D/O. VENKATARAM NAIK,
AGE: 14 YEARS, OCC: STUDENT,
R/BY HER NATURAL GUARDIAN
AND BROTHER RAGHAVENDRA V. NAIK,

ALL ARE R/O. BALEHAKKAL,
SHIRALI POST, VENKATAPUR VILLAGE,
BHATKAL TALUK,
UTTAR KANNADA DISTRICT.
13. LAMBODHAR S/O MANJUNATH NAIK,
AGE: ABOUT 27 YEARS,
OCC: AGRICULTURIST,
VENKATAPUR VILLAGE,
TALUK: BHATKAL,
DIST: UTTARA KANNADA.
14. TAHASILDAR,
BHATKAL TALUK,BHATKAL,
DIST: UTTARA KANNADA.
15. ASSISTANT COMMISSIONER,
BHATKAL,
DIST: UTTARA KANNADA.
16. DEPUTY COMMISSIONER,
UTTARA KANNADA DISTRICT,KARWAR.



17. SMT. PARAMESHWARI W/O. VENKAPPA NAIK,
R/O: VENKATAPURA TALUK, BHATKAL.

...RESPONDENTS

(BY SRI. SUHAS.K.HOSAMANI, ADVOCATE FOR
SRI.A.S.PATIL, ADVOCATE FOR R2;
SMT. MALA.B.BHUTE, AGA FOR R14-R16;
SRI. P.N.HOSAMANE, ADVOCATE FOR R1, R13;
NOTICE TO R3 TO R11, R12(A TO C), R17 IS SERVED AND
UNREPRESENTED)

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.Sangram S.Kulkarni., counsel for the petitioner,
Sri.Suhas K.Hosamani., appearing on behalf of Sri.A.S.Patil.,
counsel for respondent No.2 and Smt.Mala B.Bhute., AGA for
respondents 14 to 16 have appeared in person.

2. The Writ Petition is filed seeking the following
prayers:

*"(a) Quash the impugned order passed by the Deputy
Commissioner, Uttara Kannada District, Karwar in
RB.RTR/CR-3/2009-10 dated 07.02.2011 vide
Annexure-'F' in the interest of justice and equity.*

*(b) Pass such order or orders which this Hon'ble court
deems fit and necessary under the facts and
circumstances of the case."*



3. The brief facts of the case are as follows:

The subject land bearing Sy.No.219/A1/4, measuring 2 acres, situated in Heble Village, Bhatkal Taluk, was purchased by the petitioner under a registered sale deed dated 11.04.2007. Pursuant thereto, the Sub-Registrar forwarded the document to the revenue authorities for necessary action, and the 'J' Form was issued. The petitioner's name came to be entered in the mutation records vide ME.No.175.

Subsequently, respondent Nos.1 and 2 challenged the said mutation entry before the Tahsildar. The Tahsildar, taking note of the pendency of a civil suit, set aside ME.No.175 by order dated 20.09.2007. Aggrieved by the same, the petitioner preferred an appeal before the Assistant Commissioner, who, by order dated 14.08.2008, allowed the appeal and directed restoration of the petitioner's name in the revenue records.

Challenging the said order, the second respondent filed a revision petition before the Deputy Commissioner. The Deputy Commissioner, by order dated 07.02.2011, allowed the revision



and set aside the order of the Assistant Commissioner. Aggrieved thereby, the petitioner has filed the present writ petition.

4. Heard the counsel for the parties and perused the material on record.

5. It is not in dispute that the petitioner has acquired the property under a registered sale deed, and her name was duly entered in the mutation records. The Deputy Commissioner, however, set aside the mutation entry solely on the ground of pendency of a civil suit.

In the considered view of this Court, such an approach is unsustainable in law. Revenue authorities are required to act based on valid registered documents for mutation entries. The pendency of a civil suit, by itself, does not justify refusal to enter or continue the name of a purchaser in the revenue records. As of the date, the petitioner holds title under a registered sale deed, and therefore, the Tahsildar and the Assistant Commissioner were justified in effecting and restoring the mutation entry in her favour.



The Deputy Commissioner has failed to consider the relevant material and has erroneously relied upon an extraneous factor, namely the pendency of a civil suit, to set aside the mutation entry. The impugned order, therefore, cannot be sustained.

6. Accordingly, the following:

ORDER

- i. The writ petition is ***allowed***.
- ii. The order dated 07.02.2011 passed by the Deputy Commissioner is hereby quashed.
- iii. The order of the Assistant Commissioner restoring Mutation Entry No.175 is upheld.
- iv. Consequently, Mutation Entry No.175 shall stand restored in the name of the petitioner.
- v. No order as to costs.

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

RH
List No.: 1 Sl No.: 10.1