



IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 9TH DAY OF JULY, 2026

BEFORE

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

WRIT PETITION NO.105071 OF 2026 (KLR-RR/SUR)

BETWEEN:

SMT. SAVAKKA JINNAPPA @ BASAVANNEPPA MALAGI,
AGE: 68 YEARS, OCC. AGRICULTURE AND HOUSE MAKER,
R/O. PATTIHAL K.S., TQ. BAILHONGAL,
DIST. BELAGAVI-591102.

...PETITIONER

(BY SRI. LINGESH V. KATTEMANE, ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER,
BELAGAVI, DIST. BELAGAVI-590001.
2. THE ASSISTANT COMMISSIONER,
BAILHONGAL, SUB-DIVISION BAILHONGAL-591102.
3. THE TAHASILDAR,
BAILHONGAL, DIST. BELAGAVI-591102.
4. SRI. RUDRAPPA S/O. SHEKAPPA,
@ CHANDRASHEKHAR MALAGI,
AGED ABOUT 69 YEARS, OCC. RTD.,
R/O. PATTIHAL K.S., TQ. BAILHONGAL,
DIST. BELAGAVI-591102.
5. SMT. SANTAVVA BABU KURUBAR,
@ CHANDRASHEKHAR MALAGI,
AGE: 54 YEARS, OCC. AGRICULTURE AND HOUSE MAKER,
R/O. PATTIHAL K.S., TQ. BAILHONGAL,
DIST. BELAGAVI-591102.

...RESPONDENTS

(BY SRI. SHIVRAJ S. BALLOLI, ADVOCATE FOR C/R4;
SMT. NANDINI SOMAPUR, AGA FOR R1 TO R3)





THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO (A) ISSUE WRIT OF CERTIORARI AND TO QUASH THE ORDER DATED 30.04.2026 PASSED BY THE DEPUTY COMMISSIONER BELAGAVI, IN CASE NO.R.P./172/2025-26 VIDE ANNEXURE-D BY ALLOWING WRIT PETITION. (B) ISSUE ANY OTHER APPROPRIATE WRIT, ORDER/S OR DIRECTION, AS THIS HON'BLE COURT DEEMS FIT AND PROPER, IN THE ATTENDANT FACTS AND CIRCUMSTANCES OF THE CASE IN THE ENDS OF JUSTICE AND EQUITY.

THIS PETITION, COMING ON FOR ORDERS THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present petition is filed seeking to impugn the order dated 30.04.2026 passed in Case No.R.P./172/2025-26 by respondent No.1 - Deputy Commissioner (Annexure-D to the writ petition).

2. The relevant facts are that respondents No.4 and 5/private respondents filed an appeal under Section 136(2) of the Karnataka Land Revenue Act, 1964¹, in R.A.No.13/2025 before respondent No.2 - Assistant Commissioner, which was dismissed vide order dated

¹ Hereinafter referred to as the 'KLR Act'



24.06.2025. Being aggrieved, respondent No.4 preferred a revision before respondent No.1 – Deputy Commissioner under Section 136(3) of the KLR Act. The Deputy Commissioner, vide order dated 30.04.2026, allowed the revision and ordered as under:

“ಆದೇಶ

ಪರಿಷ್ಕರಣಾ ಅರ್ಜಿಯನ್ನು ಪುರಸ್ಕರಿಸಿದೆ.

ಉಪವಿಭಾಗಾಧಿಕಾರಿ, ಬೈಲಹೊಂಗಲ ಇವರ ಆದೇಶ ಆರ್.ಎ ನಂ. 13/2005 ದಿನಾಂಕ-24-7-2025 ನೇದ್ದನ್ನು ರದ್ದು ಪಡಿಸಿದೆ.

ತತ್ಪರಿಣಾಮವಾಗಿ ಬೈಲಹೊಂಗಲ ತಾಲೂಕಿನ ಪಟ್ಟಿಹಾಳ ಕೆ.ಎಸ್ ಗ್ರಾಮದ ರಿ.ಸ.ನಂ. 24/2 ಹಾಗೂ ರಿ.ಸ.ನಂ. 133/1ಅ+1ಬ ಜಮೀನುಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಹಕ್ಕು ದಾಖಲೆ ನಂ. ಎಚ್-21/2012-13 ದಿನಾಂಕ-30-07-2013 ಹಾಗೂ ಹಕ್ಕು ದಾಖಲೆ ನಂ.ಎಚ್-02/2013-14 ದಿನಾಂಕ-20-8-2013 ನೇದ್ದವುಗಳನ್ನು ರದ್ದು ಪಡಿಸಿದೆ.

ಅದರಂತೆ ಮಾನ್ಯ ಉಚ್ಚ ನ್ಯಾಯಾಲಯದ ಆರ್.ಎಫ್.ಎ ನಂ. 51/2003 ಹಾಗೂ ಆರ್ ಎಫ್.ಎ ನಂ. 48/2003 ರ ಆದೇಶದಂತೆ ಮೇಲ್ಮನವಿದಾರ ಹಾಗೂ ಆತನ ಸಹೋದರನಾದ ಮಲ್ಲಪ್ಪಾ ತಂದೆ ಶೇಖಪ್ಪಾ ಮಾಳಗಿ ಇವರ ಹೆಸರನ್ನು ದಾವೇದ ಆಸ್ತಿಗೆ ದಾಖಲಿಸಲು ಆದೇಶಿಸಿದೆ.

ಮಾನ್ಯ ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯದ ಎಸ್.ಎಲ್.ಪಿ ನಂ. 7451, 7452/2012 ರಲ್ಲಿನ ಅಂತಿಮ ಆದೇಶ ಉಭಯತರಿಗೆ ಬಂದನಕಾರವಾಗಿರುತ್ತದೆ.”



3. Being aggrieved, the present writ petition is filed.

4. It is forthcoming that the civil litigation between the parties had culminated in the judgment dated 09.09.2011 passed by a Co-ordinate Bench of this Court in RFA No.51/2003 connected with RFA No.48/2003. The Deputy Commissioner vide the impugned order has directed that entries to be made in the revenue records in terms of the judgment passed by this Court. The Judgment passed by this Court is the subject matter of challenge before the Supreme Court in Civil Appeal Nos.7451-7452 of 2012, which is pending consideration.

5. In view of the aforementioned, the present writ petition is ***disposed of*** by directing that, in addition to the entries being made in terms of the order dated 30.04.2026 passed by the Deputy Commissioner, the revenue entries shall also reflect the pendency of Civil Appeal Nos.7451-7452 of 2012 between the parties before



the Hon'ble Supreme Court of India. Further, the revenue entries shall be continued/changed in terms of the outcome of the said Civil Appeal before the Hon'ble Supreme Court of India.

6. Ordered accordingly.

SD/-
(C.M. POONACHA)
JUDGE

PMP
CT:PA
LIST NO.: 1 SL NO.: 36