



HC-KAR

NC: 2026:KHC-D:1492
WP No. 108135 of 2025

IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 3RD DAY OF FEBRUARY 2026
BEFORE
THE HON'BLE MRS JUSTICE K.S.HEMALEKHA
WRIT PETITION NO. 108135 OF 2025 (KLR-RES)

BETWEEN:

SAMEERA KOM ISHAQ DAWOOD KALO
AGE: 40 YEARS, OCC: HOUSEHOLD,
R/O. BUNDER ROAD, 1ST CROSS,
TQ: BHATKAL, DIST: UTTAR KANANDA-581320.

...PETITIONER

(BY SRI. D.J.NAIK, ADVOCATE)

AND:

1. TAHASILDAR, BHATKAL
TQ: BHATKAL - 581 320,
DIST: UTTAR KANANDA.
2. SUB REGISTRAR
BHATKAL, TQ: BHATKAL - 581 320,
DIST: UTTAR KANANDA.
3. ISHAQ S/O. DAWOOD KALO
AGE: 45 YEARS, OCC: PRIVATE WORK,
R/O. BUNDR ROAD, 1ST CROSS - 581 320,
TQ: BHATKAL, DIST: UTTAR KANANDA.

...RESPONDENTS

(BY SMT. NANDINI B.SOMAPUR, AGA FOR R1 AND R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT OF CERTIORARI QUASH THE ORDER DATED 03-01-2025 PASSED BY THE RESPONDENT NO.1 BEARING NO.RRT/DISP/113/2024 DATE 02-12-2024 RD0050000676694, VIDE ANNEXURE- G; ISSUE WRIT OF MANDAMUS DIRECTING THE RESPONDENT NO-1 ENTER THE NAME OF THE PETITIONER IN THE MUTATION ENTRY AS PER THE AD-INTERIM TEMPORARY INJUNCTION GRANTED IN O.S.NO.116/2024 ON THE FILE OF THE ADDL.CIVIL JUDGE AND J.M.F.C BHATKAL VIDE ANNEXURE-A; ISSUE WRIT OF MANDAMUS DIRECTING THE RESPONDENT NO -1 TO DELETE THE NAME OF R-2 AND RESTORE THE NAME OF PETITIONER IN THE MUTATION ENTRY AND ETC.





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

CORAM: THE HON'BLE MRS JUSTICE K.S.HEMALEKHA

ORAL ORDER

1. The petitioner has called in question the order passed by the Tahsildar - respondent No.1, entering the name of respondent No.3 in the Mutation Register in respect of the schedule property and seeking consequential relief to nullify the said mutation entry.

2. **Brief facts of the case:**

2.1. The petitioner claims ownership over the schedule property and disputes the sale deed in favour of respondent No.3, contending that the said sale deed is executed through a forged and fabricated GPA, relying upon the deed respondent No.3 has secured the mutation of his name in the revenue records.

2.2. It is stated that the petitioner has instituted O.S.No.116 of 2024 before the competent Civil



Court seeking declaration and other consequential reliefs and an ad interim order of injunction has been granted in the said suit.

2.3. During the pendency of the civil proceedings, it is stated that the Revenue Authorities have effected mutation in favour of respondent No.3 based on the registered document.

2.4. Aggrieved by the said mutation entry, the petitioner has approached this Court.

3. Learned counsel for the petitioner contends that the mutation entry is illegal as it is founded on a sale deed which is through a forged and a fabricated GPA, which is under serious dispute before the Civil Court. It is urged that the Revenue Authorities ought not to have acted upon the said document, when the civil suit questioning its validity is pending and an interim injunction has been granted.



4. *Per contra*, learned AGA appearing for the respondent
- State submits that the sale deed has not been set
aside by any competent court and that the revenue
authorities have acted strictly in accordance with law.
5. This Court has carefully considered the rival
submissions and perused the material placed on
record.
6. It is undisputed that the sale deed relied upon by the
respondent No.3, though questioned by the petitioner
in O.S.No.116 of 2024 has not been annulled or
declared void by any competent Civil Court. It is well
settled that the mutation entries do not confer or
extinguish title, nor do they decide rights between the
parties. They are maintained primarily for fiscal
purposes. When a registered document subsists, the
revenue authorities are justified in acting upon the
same subject always to the result of civil proceedings.
The pendency of O.S.No.116 of 2024 and the interim



orders passed therein do not, by themselves, render the mutation entry illegal. At the highest, the mutation entry would remain subject to the final adjudication in the said suit. If the petitioner ultimately succeeds in getting the said deed set aside, it is open to her to seek appropriate correction of the revenue records in accordance with law. This Court does not find any jurisdictional error or perversity in the impugned order warranting any interference.

7. Accordingly, the writ petition is ***dismissed***.
8. However, it is made clear that the mutation entry impugned in this writ petition shall be subject to final outcome of O.S.No.116 of 2024 pending before the competent Civil Court. All the rights and contentions of the parties are kept open to be urged in the said proceedings.



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9. Since the writ petition is disposed at the preliminary hearing stage itself, notice is not ordered to respondent No.3.

**Sd/-
JUSTICE K.S.HEMALEKHA**

gab
Ct:VH
List No.: 1 Sl No.: 14