



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 4TH DAY OF FEBRUARY, 2026
BEFORE
THE HON'BLE MRS JUSTICE K.S.HEMALEKHA
WRIT PETITION NO.107300 OF 2024 (KLR-RR/SUR)

BETWEEN:

1. SHANKAR BHIMAGOUDA PATIL
AGE. 85 YEARS, OCC. AGRICULTURE,
R/O. SOLAPUR, TQ. HUKKERI,
DIST. BELAGAVI-591309.
2. SHIVAGOUDA BHIMAGOUDA PATIL
AGE. 70 YEARS, OCC. AGRICULTURE,
R/O. SOLAPUR, TQ. HUKKERI,
DIST. BELAGAVI-591309.
3. SMT. KASHIVBAI KRISHNA MURGUDE
AGE. 79 YEARS, OCC. HOUSEHOLD,
R/O. RAMAPUR, TQ. NIPPANI,
DIST. BELAGAVI-591237.
4. SMT. SHRIMANTI GURUGONDA PATIL
AGE. 73 YEARS, OCC. AGRICULTURE,
R/O. SOLAPUR, TQ. HUKKERI,
DIST. BELAGAVI-591309,
PRESENTLY R/O. GADAHINGLAJ
TQ. GADAHINGLAJ, DIST. KOLHAPUR,
MAHARASHTRA-416502.
5. SMT. GANGUBAI @ GANGAWWA
@ SHANTA ANNASAHEB PATIL,
AGE. 72 YEARS, OCC. HOUSEHOLD,
R/O. SOLAPUR, TQ. HUKKERI,
DIST. BELAGAVI-591309,
PRESENTLY R/O. C/O. KUMAR
SADASHIV SATWAR, R/O. EXAMBA,
TQ. CHIKODI, DIST. BELAGAVI-591201.
6. SANJAY ANNASAHEB PATIL
AGE. 50 YEARS, OCC. AGRICULTURE,





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R/O. SOLAPUR, TQ. HUKKERI,
DIST. BELAGAVI-591309,
PRESENTLY R/O.C/O. MANJUNATH DANDIN,
MALAYAR ONI, HUBBALLI (AMARGOL),
TQ. DHARWAD, DIST. DHARWAD.

...PETITIONERS

(BY SRI. RAMESH I.ZIRALI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
REVENUE DEPARTMENT,
M.S.BUILDING, BENGALURU-560001.
2. THE DEPUTY COMMISSIONER
BELAGAVI, DIST. BELAGAVI-590001.
3. THE ASSISTANT COMMISSIONER
BELAGAVI, TQ/DIST. BELAGAVI.
4. THE TAHASILDAR
HUKKERI, TQ. HUKKERI,
DIST. BELAGAVI-591309.
5. THE REVENUE INSPECTOR
HUKKERI, TQ. HUKKERI,
DIST. BELAGAVI-591309.
6. THE VILLAGE ACCOUNTANT
SOLAPUR, TQ. HUKKERI,
DIST. BELAGAVI-413001.
7. SMT. SUNITA RATNAGOUDA PATIL
AGE. 45 YEARS, OCC. HOUSEHOLD
R/O. ANKALI, TQ. CHIKODI,
DIST. BELAGAVI-591213.
8. SMT. ANITA TATYASAB ANKALI
AGE. 41 YEARS, OCC. HOUSEHOLD
R/O. MANGNUR, TQ. HUKKERI,
DIST. BELAGAVI-591309.

...RESPONDENTS

(BY SMT. NANDINI B.SOMAPUR, AGA FOR R1 TO R6;
NOTICE TO R7 AND R8 IS DISPENSED WITH
VIDE ORDER DATED 04.02.2026.)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT OF CERTIORARI QUASHING THE IMPUGNED ORDER BEARING NO. RB/RTA/338/2023-24 BELAGAVI DATED 27.8.2024 VIDE ANNEXURE-C PASSED BY THE 2ND RESPONDENT, TO MEET THE ENDS OF JUSTICE AND EQUITY AND ETC.

THIS WRIT PETITION COMING ON FOR PRELIMINARY HEARING THIS DAY, THE COURT MADE THE FOLLOWING:

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

ORAL ORDER

The petitioners have called in question the order dated 27.08.2024, passed by respondent No.2-Deputy Commissioner, Belagavi in Revision Petition No.RB/RTA/338/2023-24, whereby the respondent No.2-Deputy Commissioner confirms the order of the respondent No.3-Assistant Commissioner and relegated the parties to the Civil Court. Since the writ petition is disposed of at the preliminary hearing stage itself without any adverse order against respondents No.7 and 8, hence no notice is ordered to the said respondents.

2. The dispute relates to mutation entry bearing M.R.No.6928 dated 03.03.1988 in respect of land bearing R.S.No.201/1 measuring 5 Acres 22 Guntas, situated at



Solapur village, Hukkeri Taluk, Belagavi District, which was affected on basis of alleged Will. Aggrieved by the said mutation entry, the petitioners have preferred RA No.109 of 2023, before the respondent No.3-Assistant Commissioner, who while condoning delay, disposed of the appeal by relegating the parties to the Civil Court, holding that the dispute involves serious questions of title. The said order was affirmed by the respondent No.2-Deputy Commissioner. It is not in dispute that the petitioners have already instituted a civil suit in OS No.45 of 2023, on the file of Senior Civil Judge, Hukkeri, which is pending adjudication.

3. Learned counsel for the petitioners contends that the mutation entry was wrongly sustained despite the absence of proof of a valid Will and that the revenue authorities ought to have interfered with the entry instead of relegating the parties to the Civil Court.



4. *Per contra*, learned Additional Government Advocate for the respondents-State supports the impugned order and submits that the revenue authorities rightly declined to adjudicate disputed questions of title and have correctly relegated the parties to the competent Civil Court.

5. This Court has carefully considered the rival contentions and perused the material on record.

6. It is evident that the dispute between the parties is pertaining to title and succession, which cannot be conclusively adjudicated in revenue proceedings. The mutation entry is made only for fiscal and revenue purposes and do not determine or confer ownership rights. The respondent No.3-Assistant Commissioner and thereafter the respondent No.2-Deputy Commissioner, have rightly held that; (i) mutation entry is purely fiscal in nature; (ii) such entry neither confer title nor extinguish title; (iii) disputed question relating to validity of a Will and joint family rights must necessarily be adjudicated by a Civil Court.



7. The approach of relegating the parties to the Civil Court, is therefore, justified and in accordance with the settled law. Further, mutation entry in the revenue record shall always remain subject to the final outcome of OS No.45 of 2023, pending on the file of the Senior Civil Judge, Hukkeri. No ground is made out to interfere. Accordingly, this Court pass the following;

ORDER

- i. The writ petition is ***disposed of***.
- ii. Liberty is reserved to the parties to pursue their remedy before the Civil Court and it is clarified that the mutation entry shall abide by the result of OS No.45 of 2023, on the file of Senior Civil Judge, Hukkeri.

Sd/-
JUSTICE K.S.HEMALEKHA