



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 21ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 201137 OF 2022 (KLR-RR/SUR)

BETWEEN:

- 1 SMT. CHANDRAMMA W/O LATE NARSING
AGE. 61 YEARS,
OCC. AGRICULTURE,
R/O. VILLAGE CHITTAWADI,
TQ. AND DIST. BIDAR

(SINCE DIED, HENCE PETITIONER 1(a), 1(b) AND
1(c) ARE LR'S OF PETITIONER)

- 1(a). MOSEPPA S/O LATE NARSING
AGE: 40 YEARS, OCC: AGRICULTURE,
R/O CHITTA VILLAGE,
TQ AND DIST. BIDAR.

- 1(b). TIPPANNA S/O LATE NARSING
AGE: 38 YEARS, OCC: AGRICULTURE,
R/O CHITTA VILLAGE,
TQ AND DIST. BIDAR.

- 1(c). VIJAYALAKSHMI W/O ARJUN
AGE: 36 YEARS, OCC: AGRICULTURE,
R/O GADAGI VILLAGE,
TQ AND DIST. BIDAR.

...PETITIONER

(BY SRI. SHIVAPUTRA S.UDABALKAR.,ADVOCATE)





AND:

1. DEPUTY COMMISSIONER
BIDAR 585401
2. ASSISTANT COMMISSIONER
BIDAR 585401
3. TAHASILDAR
BIDAR 585401
4. PRABHU S/O CHANBASAPPA
AGE. ABOUT 35 YEARS,
OCC. AGRICULTURE,
5. KUSHALRAO S/O SHAMRAO
AGE. ABOUT 50 YEARS,
OCC. AGRICULTURE,
6. DHANRAJ S/O SHARANAPPA
AGE. ABOUT 35 YEARS,
OCC. AGRICULTURE,
7. GOPAL S/O NARSAPPA MORGE
AGE ABOUT 60 YEARS,
OCC. AGRICULTURE,

RESPONDENTS 4 TO 7 ARE
R/O VILLAGE CHITTAWADI,
TQ. AND DIST. BIDAR 585407

...RESPONDENTS

(BY SRI.MALLIKARJUN SAHUKAR, AGA FOR R1 TO R3;
NOTICE TO R4 AND R7 HELD SUFFICIENT;
SRI SHESHADRI JAISHANKAR, AGA FOR R5 AND R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, A)
KINDLY ISSUE A WRIT IN THE NATURE OF CERTIORARY AND
QUASH THE ORDER OF 1ST RESPONDENT DATED 03.03.2022



IN REV/APPEAL/RP-01/2022 WHICH IS PRODUCED HEREWITH AS ANNEXURE - F, WHEREIN THE REVISION BY THE PETITION WAS DISMISSED AND SUBSEQUENTLY QUASH THE ORDER OF 2ND RESPONDENT IN FILE NO. REV/APPEAL/CR-87/2019-20/3353 - 56 DATED 28.12.2021, WHICH IS PRODUCED HEREWITH AS ANNEXURE - E.B) KINDLY ISSUE ANY WRIT OR ORDER OR ANY DIRECTIONS TO THE RESPONDENT AUTHORITIES TO INSERT THE NAME OF THE PETITIONER IN THE ROR FOR LAND SY NO. 288 (NEW SY NO. 304) SITUATED AT CHITTA VILLAGE TQ AND DIST. BIDAR, TO THE EXTENT OF 01 ACRE 32 GUNTAS.C) KINDLY ISSUE ANY WRIT OR ORDER OR ANY DIRECTIONS IN CONSIDERATION OF THE FACTS AND CIRCUMSTANCES OF THE CASE.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

ORAL ORDER

The petitioner is before this Court under Articles 226 and 227 of the Constitution of India, seeking following reliefs:

"A) Kindly issue a writ in the nature of certiorary and quash the order of 1st respondent dated 03.03.2022 in REV/APPEAL/RP-01/2022 which is produced herewith as Annexure - F, wherein the revision by the petition was dismissed and subsequently quash the order of 2nd respondent in file No. REV/APPEAL/CR-87/2019-20/3353 - 56 dated 28.12.2021, which is produced herewith as Annexure - E.



B) Kindly issue any writ or order or any directions to the respondent authorities to insert the name of the petitioner in the ROR for land Sy No. 288 (new Sy No. 304) situated at Chitta village Tq and Dist. Bidar, to the extent of 01 acre 32 guntas.

C) Kindly issue any writ or order or any directions in consideration of the facts and circumstances of the case"

2. Heard learned counsel for the petitioner and learned counsel for respondents.

3. It is the case of the petitioner that her husband late Narsing s/o Lalappa was granted land bearing Survey No.288, measuring 4 acres 38 guntas, situated at Chitta village, Bidar taluk and district. Annexure-A is the Saguvali Chit issued in favour of petitioner's husband in respect of aforesaid land measuring 4 acre 38 guntas. It appears that subsequently the Assistant Commissioner has passed an order on 26.12.2002 vide Annexure-B, modifying the earlier order of grant and out of 4 acre 38 guntas of land in Survey No. 288, an extent of 2 acre 38 guntas was reserved for the purpose of graveyard and the remaining



extent of 2 acres was restored in the name of petitioner's husband Narsing s/o Lalappa. Based on the modified order, the petitioner had approached the jurisdictional Tahasildar to enter her name in the revenue records of the aforesaid land, measuring 2 acre 38 guntas. The jurisdictional Tahasildar by order dated 06.10.2019 has directed to mutate petitioner's husband's name in the revenue records of the aforesaid land. The said order was set aside by the Assistant Commissioner by Order dated 27.12.2021, which has been confirmed by the Deputy Commissioner in revision by order dated 03.03.2022. It is under these circumstances petitioner is before this Court.

4. Perusal of the material on record would go to show that petitioner's husband was originally granted 4 acre 38 guntas of land in Survey No.288 of Chitta village, Tq. and Dist. Bidar. Subsequently the said order was modified by the Tahasildar vide Annexure-B dated 26.12.2002 and an extent of 2 acres of land was restored to the petitioner's husband, while the remaining land was



reserved for the purpose of graveyard. It appears that respondent Nos. 4 to 7 herein, who are the villagers had filed OS No.12/2003 before the jurisdictional of Civil Court seeking declaration that the entire extent of 4 acre 38 guntas of land was reserved for graveyard. The said suit was dismissed by the Jurisdictional Civil Court on 15.03.2017. Thereafter, the Tahasildar has passed an order on 06.10.2019 directing to enter petitioner's name in the revenue records of the aforesaid land measuring 2 acre, as per the orders passed by the Assistant Commissioner on 26.12.2002 vide Annexure-B. The Assistant Commissioner as well as the Deputy Commissioner have failed to appreciate the order at Annexure-B dated 26.12.2002 passed by the Assistant Commissioner and have erred in holding that there is no material to show that the aforesaid land was granted in favour of the petitioner's husband i.e., late Narsing s/o Lalappa.



5. Under the circumstances, the impugned orders at Annexure-E dated 27.12.2021 passed by Assistant Commissioner and at Annexure-F dated 03.03.2022 passed by the Deputy Commissioner cannot be sustained.

6. Accordingly, the following:

ORDER

- i. The writ petition is ***allowed***.
- ii. Impugned orders at Annexure-E dated 27.12.2021 passed by Assistant Commissioner and at Annexure-F dated 03.03.2022 passed by the Deputy Commissioner are quashed.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE