



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

WRIT PETITION NO.203255 OF 2025 (KLR-RR/SUR)

BETWEEN:

SHAIKH SHAWALI
S/O LATE ABDUL KHADAR,
AGED ABOUT 65 YEARS,
OCC: AGRICULTURE,
R/O BALAGANUR, TQ. MASKI,
DIST. RAICHUR.

...PETITIONER

(BY SRI. AMITKUMAR CHAGASHETTI, FOR
SRI. GURUPADAPPA GOLAPPA CHAGASHETTI, ADVOCATE)

AND:

1. THE REGIONAL COMMISSIONER,
KALABURAGI REGION,
MINI VIDHAN SOUDHA,
DIST. KALABURAGI-585102.
2. THE DEPUTY COMMISSIONER,
RAICHUR, DIST. RAICHUR-584123.
3. THE ASST. COMMISSIONER,
SUB-DIVISION, LINGASUGUR,
DIST. RAICHUR.
4. THE TAHASILDAR, MASKI,
TQ. MASKI DIST. RAICHUR.





5. THE DISTRICT WAKF OFFICER
WAQF RAICHUR
THROUGH HUSSAIN ALAAM
ASHUR KHANA SUNNI
DIST. RAICHUR.

...RESPONDENTS

(BY SRI. MALLIKARJUN SAHUKAR, AGA FOR R1 TO R4;
SRI. P. S. MALIPATIL, ADVOCATE FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT, ORDER OR DIRECTION IN THE NATURE OF MANDAMUS, DIRECTING THE RESPONDENT NO.3 AND 4 TO CONSIDER THE REPRESENTATION DATED 11.08.2025 AND 23.10.2025 VIDE ANNEXURE-D AND D1 AND TO TAKE SUITABLE DECISION IN ACCORDANCE WITH LAW. B) ISSUE A WRIT, ORDER OR DIRECTION IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENT NO.3 AND 4 TO DELETE THE NAME OF THE WAKF AND ALSO DELETE THE NON-ALIENATION CLAUSE IN COLUMN NO.11 OF THE RORS IN RESPECT OF SY NO.528/*/* MEASURING 05 ACRES 05 GUNTAS SITUATED AT BAGAGANUR VILLAGE MASKI TALUKA DISTRICT RAICHUR, C) ISSUE A WRIT ORDER OR DIRECTION IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENT NO.3 AND 4 TO DELETE THE NAME OF THE WAKF IN COLUMN NO.11 OF THE RORS IN RESPECT OF SY.NO.522/1 SITUATED AT BALAGANUR VILLAGE MASKI TALUKA DIST RAICHUR.



THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL ORDER

Heard learned counsel for the petitioner, learned Additional Government Advocate for respondent Nos.1 to 4 and learned counsel for respondent No.5.

2. The facts of the case are that the father of the petitioner namely, Abdul Khadar Sab S/o Shaikh Maheboob was the inamdar and he was cultivating the land bearing Survey No.522/1, measuring 06 acres 22 guntas situated at Balaganur village, Lingasugur Taluk (Maski), Raichur district. The father of the petitioner filed application before the Land Tribunal, Sindhanur to register him as occupant under Section 5 of the Karnataka Certain Inams Abolition Act. The Land Tribunal passed an order on 11.09.1984 and registered him as an occupant. Pursuant to the registration, the name of father of the petitioner



was entered in the record of rights in Column No.9. He had also paid the premium to the Government on 13.02.1986.

3. This being the state of affairs, the father of the petitioner died on 19.01.1989. The name of the petitioner thereafter, came to be entered in the record of rights in Column No.9. However, in Column No.11, the revenue authorities made illegal entries stating not to alienate the petition land and entered the name of Wakf Board with respect to Survey No.522/1 measuring 06 acres 22 guntas. It is the further contention of learned counsel for the petitioner that land bearing Survey No.528/*/* measuring 05 acres 05 guntas was in absolute ownership of the petitioner and it is not a granted land. In this land also, the revenue authorities made illegal entries in Column No.11 as wakf property and also entered a non-alienation clause without there being any notice to the petitioner.



4. The petitioner on coming to know of the illegal entries in Column No.11, made a representation to respondent Nos.3 and 4, requesting to delete illegal entries made in the name of Wakf Board and the non-alienation clause in Column No.11 of Record of Rights. However, despite receiving the said representation, no action was taken by the respondent authorities. Hence, petitioner is forced to approach this Court to consider his representation and pass suitable orders in accordance with law.

5. In the present case on hand, lands in two survey numbers are involved. One is land in Sy.No.522/1 measuring 06 acres 22 guntas and another land in Sy.No.528/*/* measuring 05 acres 05 guntas both situated at Balaganur Village, Maski Taluk, Raichur District. The petitioner has produced relevant documents to show the ownership of his father and thereafter, the mutation entries made in his name in the revenue records pursuant to the death of his father. Without there being



any notice, the entries are made in Column No.11 including the name of the wakf board and the non-alienation clause which is the concern of the petitioner herein.

6. Whenever the revenue authorities propose to effect a change of name in Columns 9, 11, or 12 of the revenue records, prior notice shall be issued to the concerned parties and query is to be conducted. Based upon that, entry in the revenue records are required to be changed. No such procedure is followed in the present case and despite the representation being given, no action is taken to that effect. Hence, the present petition is filed.

7. *Per contra*, Sri.P.S.Malipatil, learned counsel appearing for respondent No.5 vehemently contends that the name of the Wakf Board has been entered after the recommendation was made and it was thereafter, included in the revenue records which does not call for interference and there is no flaw or illegality.



8. Be that as it may, it is for the revenue authorities to have notified the concerned parties whose names are entered in the revenue records, conduct an enquiry and pass suitable orders which is not done in the present case. Accordingly, the matter calls for interference by this Court.

9. Hence, I pass the following:

ORDER

- i. The writ petition is ***allowed***.
- ii. Respondent Nos.3 and 4 are hereby directed to consider the representations of petitioner dated 11.08.2025 and 23.10.2025 vide Annexures-D and D1 in accordance with law.
- iii. A mandamus is issued directing respondent Nos.3 and 4 to delete the name of wakf board and non-alienation clause in Column No.11 of the RORs in respect of Sy.No.528/*/* measuring 05 acres 05 guntas and also delete the name of Wakf board in column No.11 of the RORs in



respect of Sy.No.522/1 both situated at Balaganur village, Maski Taluk, Raichur District.

- iv. Liberty is reserved to the respondent authorities to issue notice, conduct enquiry and pass suitable orders in accordance to law, by following the principles of natural justice.

**Sd/-
(PRADEEP SINGH YERUR)
JUDGE**

VNR
LIST NO.: 2 SL NO.: 10
CT:SI