



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 29TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

AND

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT APPEAL NO.200116 OF 2026 (KLR-LG)

BETWEEN:

1. BADADA RAGHAVENDRACHAR
ALIAS BICHALI RAGHAVENDER,
S/O BADADA NARASIMHACHAR,
AGED ABOUT 75 YEARS,
OCC: HEREDITARY ARCHAKA
R/AT: H.NO.1 TO 7
JAPADAKATTE BICHALI,
POST : BICHALI,
RAICHUR TALUK – 584 140.
2. BADADA RAMACHAR
SINCE DEAD, REPRESENTED BY HIS LRS.
- 2a. SMT. B.VIJAYA
W/O BADADARAMACHAR,
AGED ABOUT 68 YEARS,
OCC: HOUSEWIFE,
R/O: JAPADAKATTE, BICHALI VILLAGE,
DISTRICT : RAICHUR - 584 140.
- 2b. SMT. SHYLAVI ALIAS AMANCHI SHYLAVI
W/O RAGHAVENDRA RAO,
AGED ABOUT 42 YEARS,
OCC: PRIVATE EMPLOYEE,
VILLA NO.11, NAPLE TOWN,
BANDLAGUDA JAGIR,
HYDERABAD,
TELANGANA STATE – 500 086.





- 2c. SMT. GAUTAMI ALIAS GAUTAMI RAMESH
W/O RAMESH JAYARAM,
AGED ABOUT 38 YEARS,
OCC: HOUSEWIFE, PLOT NO.143,
SRINIVASA HILLS COLONY,
PARVATHAPUR, UPPAL,
HYDERABAD - 500 039.
- 2d. SMT. VAISHNAVI ALIAS VAISHNAVI
BICHALI ACHARYA
W/O PRADEEP KUMAR,
AGED ABOUT 35 YEARS,
OCC: HOUSEWIFE,
FLAT NO.5302, VIDAVATHI BLOCK,
NANDI ENCLAVE,
BANASHANKARI IV STAGE,
BENGALURU - 560 050.
- 2e. BICHALI PAVANKUMAR
S/O BADADA RAMACHAR,
AGED ABOUT 32 YEARS,
OCC: HEREDITARY ARCHAKA,
JAPADAKATTE, BICHALI VILLAGE,
TALUK AND DIST. RAICHUR - 584 140.
3. BADADA KRISHNACHAR
ALIAS B.N. KRISHNA MURTHY
S/O BADADA NARASIMHACHAR,
AGED ABOUT 60 YEARS,
OCC: HEREDITARY ARCHAKA,
R/AT: H.NO.1 TO 7, JAPADAKATTE,
BICHALI, POST BICHALI,
RAICHUR TALUK AND DISTRICT - 584 140.
4. BADADA SHAMACHAR,
ALIAS BICHALI VENUGOPAL
S/O BADADA NARASIMHACHAR,
AGED ABOUT 58 YEARS,
OCC: HEREDITARY ARCHAKA,
R/AT: H.NO.1 TO 7, JAPADAKATTE,
BICHALI, POST BICHALI,
RAICHUR DISTRICT - 584 140.

...APPELLANTS

(BY SRI. DHYAN CHINNAPPA, SENIOR COUNSEL FOR
SRI. NARASIMHAN S., ADVOCATE)



AND

1. THE STATE OF KARNATAKA,
REPRESENTED BY THE UNDER SECRETARY,
DEPARTMENT OF REVENUE (LAND GRANT-3),
VIDHANA SOUDHA, BENGALURU - 560 001.
2. THE DEPUTY COMMISSIONER,
RAICHUR, DISTRICT RAICHUR - 584 101.
3. THE ASSISTANT COMMISSIONER,
RAICHUR CIRCLE, RAICHUR - 584 101.
4. THE TAHSILDAR,
RAICHUR TALUK, RAICHUR - 584 101.
5. SHREE RAGHAVENDRA SWAMY MUTT,
NANJANGUD, DISTRICT MYSORE,
MANTHRALAYA CAMP,
ANDHRA PRADESH,
REPRESENTED BY ITS PONTIFF
SRI. SUBHUDENDRA THEERTHA SWAMIJI.

....RESPONDENTS

(BY Dr. ARCHANA P.TIWARI, AAG A/W.
SMT. MAYA T.R., HCGP FOR R1 TO R4;
SRI J.AUGUSTIN, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, PRAYING TO ALLOW THIS WRIT APPEAL AND SET ASIDE THE JUDGMENT AND ORDER DATED 02.04.2026 PASSED IN W.P.NO.200817/2022 BY THE LEARNED SINGLE JUDGE AND ETC.

THIS WRIT APPEAL HAVING BEEN HEARD AND RESERVED FOR JUDGMENT ON 17.04.2026, THIS DAY, THE COURT PRONOUNCED THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ
and
HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA



C.A.V. JUDGMENT

(PER: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ)

1. The appellants are before this Court seeking for the following reliefs:

A) Allow this Writ Appeal and set aside the judgment and order dated 02.04.2026 passed in W.P.No. 200817/2022 by the learned Single Judge; and

B) Pas any such other order/(s) as this Hon'ble Court may deem fit in the facts and circumstances of the case in the interest of justice and equity.

2. This intra Court appeal is filed challenging the order dated 02.04.2026 passed by the learned Single Judge in W.P.No.200817/2022.

3. Petitioners who are the appellants have filed W.P.No.200817/2022 seeking for the following reliefs:

i. Quash the Government order bearing No.RD.20/LGR 21, Bengaluru dated 24.02.2022 passed by respondent No.1 copy of which is at Annexure-K;

ii. Direct the respondent Nos.1 to 4 to consider, immediately the application of the petitioners dated 24.06.2006 copy of which is at Annexure-D for granting the land Sy.No.35 measuring 1 acre 2 guntas and Sy.No.37 measuring 1 acre 31 guntas, both situated at village Bichali, Hobli Gillesugur, Tq. and Dist. Raichur, in favour of the petitioners herein in view of the possession and occupation of these lands by the petitioners from a long time;

iii. Quash the order bearing C.No.24928, DCRAI-LNDOMISC/48/2021-RAI, dated 28.03.2022 passed by the respondent No.2 vide Annexure-L; and



iv. Issue any other appropriate writ, order or direction as this Hon'ble Court may deem fit to grant in the facts and circumstances of the case."

4. Parties are referred to as per their status in the writ Court.

5. The case of the petitioners is that:

5.1. Their predecessor, late Sri Badada Appannacharya, was an ardent devotee of Sri Raghavendra Swamy and that, as per historical accounts, in the year 1658 A.D., Sri Raghavendra Swamy visited Bichali village and blessed him.

5.2. It is stated that Sri Badada Appannacharya utilised the platform on the banks of river Tungabhadra for meditation and constructed an Ekshila Brindavana on the south-western portion of Sy. No.35 of Bichali village. The said site is also stated to house temples of Sri Narasimhaswamy, Sri Anjaneyaswamy, and the village deity Bichalamma Devi, where daily poojas and religious activities have been performed by his descendants.

5.3. The lands in Sy. Nos.35 (1 acre 02 guntas) and 37 (1 acre 31 guntas), though classified as



Government lands (Kharij Khata / Parampok), have been in long-standing possession, use, and enjoyment of their family for religious purposes. It is asserted that their predecessors developed the land by levelling it, constructing sheds, and facilitating religious activities for devotees, particularly those belonging to the Madhva community.

- 5.4. It is further stated that following floods in the Tungabhadra river in 1991, portions of the structures were damaged, and thereafter the petitioners undertook reconstruction and improvement of facilities. The Government is also stated to have granted flood relief of ₹3,00,000/- to temples in the village.
- 5.5. The petitioners claim to have applied on 24.06.2006 seeking grant of the said lands for better management of religious activities; however, no action was taken on the said application.
- 5.6. They subsequently learnt of correspondence between respondents Nos 1 to 5 regarding the grant of the land in favour of Sri Raghavendra Swamy Mutt. Alleging interference and threats,



a Public Interest Litigation in W.P. No.20968/2021 was filed, during which it came to light that the land had been granted to the Mutt on 24.02.2022. The petitioners thereafter instituted the present writ petition challenging the grant.

6. The learned Single Judge, by order dated 02.04.2026, dismissed W.P. No.200817/2022. The learned Single Judge held that:

6.1. The application of the petitioners for regularisation of unauthorised occupation under Section 94-A of the Karnataka Land Revenue Act, 1964 read with Rule 108-CCC of the Karnataka Land Revenue Rules, 1966, stood on a different footing from the application of the Mutt under Rule 21 of the Karnataka Land Grant Rules, 1969.

6.2. It was held that the competent authorities for the two processes are distinct, and therefore, there was no requirement to club or simultaneously consider the applications. Further, placing reliance on Rule 108-F of the KLR Rules, the learned Single Judge held that regularisation is permissible only in favour of



bona fide agriculturists cultivating the land personally. Since the petitioners themselves asserted that the land had been developed for religious purposes and not for agricultural use, they were held to be ineligible for regularisation.

- 6.3. The learned Single Judge also took note of the pendency of civil proceedings in O.S. No.59/2022, wherein the petitioners have sought declaration of title based on adverse possession, describing the land as a religious and tourist site. Reference was also made to inter se disputes between the petitioners in O.S. No.113/2016, leading to the formation of separate Trusts.
- 6.4. It was observed that one such Trust had applied for grant of land before the Deputy Commissioner, but the said Trust was not a party to the writ petition. The writ petition was filed by individuals who had not independently applied for grant.
- 6.5. The learned Single Judge further held that the challenge was directed only against a proposal dated 30.06.2021, which had culminated in a



final Government approval dated 24.02.2022 and a consequential grant order dated 28.03.2022 in favour of the Mutt. As the final grant order had not been specifically challenged, the writ petition was held to be not maintainable and was accordingly dismissed.

- 6.6. It is this order which is challenged in the present intra Court Appeal.
7. Assailing the same, Sri Dhyan Chinnappa, learned Senior Counsel appearing for the appellants, contends that
 - 7.1. The learned Single Judge erred in holding that the writ petition was not maintainable at the instance of the petitioners.
 - 7.2. It is submitted that the application dated 24.06.2006 was filed by the petitioners in their individual capacity, prior to the formation of any Trust, and therefore, the subsequent formation of a Trust would not divest them of their locus to maintain the writ petition.
 - 7.3. He submits that that the petitioners are members of the Trust and are directly interested in the subject land, and therefore,



the writ petition filed by them in their individual capacity is maintainable.

- 7.4. Insofar as the challenge to the grant order is concerned, it is contended that the proposal dated 24.02.2022 having been challenged, the subsequent order dated 28.03.2022 is merely consequential in nature. It is submitted that non-challenge to the consequential order would not render the writ petition non-maintainable.
- 7.5. It is further submitted that the petitioners and their predecessors have been in possession of the land for over four decades, and such long-standing possession confers sufficient locus to question the grant made in favour of the Mutt.
- 7.6. Learned Senior Counsel further submits that the writ petition was filed on 21.03.2022, prior to the passing of the final grant order dated 28.03.2022, and the said order was neither communicated to the petitioners nor within their knowledge at the relevant time. It is contended that in such circumstances, the absence of a specific challenge to the final order cannot be put against the petitioners.



- 7.7. It is also submitted that while the Trust had sought regularisation of unauthorised occupation, the petitioners' earlier application dated 24.06.2006 for grant of land remained unconsidered, and the authorities could not have proceeded to grant the land in favour of the Mutt without first deciding the petitioners' application.
- 7.8. It is further contended that though the applications of the petitioners and the Mutt arise under different statutory provisions, namely, Section 94-A of the Act read with Rule 108-CCC of the KLR Rules and Rule 21 of the Karnataka Land Grant Rules, 1969, the authorities were nevertheless required to consider the petitioners' prior claim.
- 7.9. It is submitted that despite reference to the petitioners' representation, no reasoned order has been passed rejecting their application, and the grant in favour of the Mutt has been made without due consideration of their rights. It is urged that these aspects have not been properly appreciated by the learned Single Judge.



7.10. Section 94-A of the Karnataka Land Revenue Act has been reproduced hereunder for easy reference:

"94A. [Regularisation of certain cases of unauthorised occupation by constituting committee, etc. - (1)Subject to such rules as may be prescribed, the State Government shall, by notification, constitute [a committee for constituency of the Legislative Assembly, wherever necessary,] a committee consisting of such number of members [not exceeding five] of whom one shall be a member of Legislative Assembly for the purpose of grant land under sub-section (4).

[Provided that.-

(i) if the member of the Legislative Assembly of the respective Assembly Constituency has indicated in writing that they are unable or unwilling to be a member of the Committee; or

(ii) if the position of the Member of Legislative Assembly for that constituency is vacant, the State Government shall nominate any person as a member of the Committee of such Assembly Constituency.]

[(2) The State Government shall appoint the Tahsildar of the taluk constituting the major part of that constituency on the basis of population as the Secretary of the committee.]

[(2-A) The State Government may, if it is of the opinion that it is necessary, constitute one or more additional Committees for a ³[constituency] for the purpose of grant of land under sub-section (4) consisting of such number not exceeding five, as may be prescribed and the State Government shall nominate from among the members one of them as the Chairman ⁴[x x x x x x.] When an additional Committee is



constituted, the [State Government] shall determine the jurisdictions of the Committee and the additional Committee and transfer the pending applications to the respective Committee.]

(3) The [Committee or additional Committee] shall follow such procedure as may be prescribed.

(4) Nothing in Section 94 shall prevent the committee constituted under sub-section (1), 7[or additional Committee constituted under sub-section (2-A)] but subject to such rules as may be prescribed, if any, to grant to the person liable to be evicted under that section the land which he had unauthorisedly occupied prior to the [first day of January, 2005] (hereinafter referred to as the said date) 9[x x x x x x,] if he satisfies the prescribed conditions (including the extent of the land held and unauthorisedly occupied by him) and makes [within a period of one year from the date of the commencement of Karnataka Land Revenue (Amendment) Act, 2022] (hereinafter referred to as the Amendment Act), an application for such grant in such form along with such fees, as may be prescribed and on payment of the amount payable under sub-section (5):

Provided that the land so granted together with the land already held by such [family,] shall not exceed two hectares of 'D' class of land or its equivalent thereto:

Provided further that no land shall be granted in the areas lying within the limits of Cities and City Municipalities specified in column (2) of the Table below and within the distance from such limits specified in the corresponding entries in column (3) thereof:

<i>Sl. No.</i>	<i>Places</i>	<i>Distances</i>
<i>1</i>	<i>2</i>	<i>3</i>



1	<i>Bruhat Bengaluru Mahanagara Palike under the Karnataka Municipal Corporations Act, 1976</i>	18 Kms.
2	<i>The Cities of Belagavi, Kalaburagi, Hubballi-Dharwad, Mangaluru and Mysuru respectively under provisions of the Karnataka Municipal Corporations Act, 1976; And Other Municipal Corporations under the provisions of the Karnataka Municipal Corporations Act, 1976</i>	10 Kms.
3	<i>All City Municipal Councils (CMCs) under the provisions of the Karnataka Municipalities Act, 1964</i>	5 Kms.
4	<i>All Town Municipal Councils (TMCs) and Town Panchayats under the provisions of the Karnataka Municipalities Act, 1964.</i>	3 Kms.]

[Provided also that no such land shall be regularized under this section if such land,-

(a) lies in the line of natural drains or course of river valley;

(b) belongs to any local authority or a statutory or non-statutory body of the State Government or Central Government;

(c) coming in the way of existing or proposed roads, inner or outer ring roads, national



highways, by pass over ring roads including those proposed for widening and railway lines, tramways, mass rapid transit system projects, communications and other civil facilities or public utilities;

(d) is reserved for parks, playgrounds, open places or for providing any civic amenities;

(e) is abutting to neighbouring property, storm water drain, tank bed areas; or

(f) is falling within the Land proposed for acquisition or is required for any proposed project of the state Government or any local authority, statutory or non-statutory body of the State Government.]

1[Provided also that the distance herein shall be calculated aerially from the limits of jurisdiction of the city corporation or municipality concerned:]

2[Provided also that a person who has unauthorisedly occupied the land, falling within the distance of five kilometres from the limits of the city municipality having less than fifty thousand population, prior to the 14th day of April 1990, shall make an application for such grant, within three months from the date of commencement of the Karnataka Land Revenue (Amendment) Act, 1994:]

Provided also that nothing in this section shall apply to Forest lands, Plantation lands or lands referred to in sub-section (2) of Section 79.

Explanation. For the purpose of this Section, 'D' class of land means 'D' class of land or an extent equivalent thereto consisting of one or more classes of land, as specified and determined in accordance with the formula in Schedule I to the Karnataka Land Reforms Act, 1961.



(5) The amount payable for the grant of land under sub-section (1), ¹[sub-section (2-A)] shall be such as may be prescribed.

(6) Notwithstanding anything contained in the preceding sub-section.-

2[(a) The Tahsildar concerned shall issue the order of grant of land, on the recommendations of the Committee or additional Committee, as the case may be, if any and issue the saguvali chit. The amount payable, if any, shall be paid in three equal installments of which the first one shall be paid before the expiry of a period of thirty days from the date of communication of the order of grant and the remaining two within such period as may be prescribed; and]

[(b)x x x x x;]

(c) The trees, if any, standing on the land granted and the granite in such land shall continue to belong to the Government, which may at its discretion be disposed of by it, in such manner as it may deem fit.]”

7.11. Rule 108-CCC of the Karnataka Land Revenue Rules, 1966 is extracted hereunder for easy reference:

"108-CCC. Procedure under Section 94-A.-
(1) *For the purpose of sub-section (4) of section 94-A of the Act, any person who is in unauthorized occupation of the Government Land may make an application to the Tahsildar of the concerned Taluk along with a fee of rupees one hundred:*

Provided that the person who have applied for regularization of unauthorized cultivation under Form-50 and Form-53 shall not be eligible for applying in Form -57.



(2) After receipt of application in Form-57, the concerned Tahasildar shall cause the particulars of the application to be entered in a register kept in his office, which shall be in Form-58 in the order of seniority of date of receipt of application.

(3) Tahsildar shall thereafter get the application scrutinized and send with all related documents to the officer authorized by him for further verification. On receipt of application and document from the Tahsildar, the Officer authorized by him shall make spot inspection, examine the documentary and circumstantial evidence, determine the eligibility or otherwise, record his findings and send a report to the Tahsildar, who is the Secretary to the Committee, within three months from the date of receipt of the documents. On receipt of the report from the officer, authorized with his findings, the Tahsildar shall make suitable recommendation to the Committee of Additional Committee as the case may be within one month from the receipt of the report.

(4) The Committee or the Additional Committee shall after verifying the particulars submitted by the applicant and recommendations of the Tahsildar, after holding such enquiry as deemed necessary determine the extent of land to which the applicant is entitled for grant and the amount required to be paid by him for the grant of land and publish a notice which shall be in Form-59 in the Chavadi of the village in which the land is situated and also in the Office of the Gram Panchayat inviting objections from the interested persons for the proposed grant within such time as may be specified in the notice which shall not be less than fifteen days from the date of the notice.

(5) After expiry of the period specified in the notice, the Committee or the Additional Committee shall, after considering the objections received and after further enquiry, if necessary recommend for the grant of land unauthorizedly



occupied by the applicant or to dismiss it, subject to the provisions of rule 108-I.

(6) The provisions of sub rules (3), (4) and (6) of the rule-108D shall mutatis-mutandis apply for the purpose of grant of land under sub-section (4) of section 94A of the Act."

7.12. Rule 108-F of the Karnataka Land Revenue Rules, 1966 is extracted hereunder for easy reference:

"108-F. Eligibility for Grant. - *No person shall be eligible for grant of land under this Chapter, unless.-*

(i) he has attained the age of eighteen years; and

³*[(ii) x x x x x.]*

(iii) he is a permanent resident within the limits of the Taluk in which the land is situated or in the adjacent Taluk; and

(iv) he is a bona fide agriculturist cultivating the land personally and is not prohibited from holding or acquiring land under the provisions of Karnataka Land Reforms Act, 1961; and

(v) he is in authorised occupation of land for at least a continuous period of not less than three years prior to the Fourteenth day of April, 1990: Provided that in the case of persons belonging to Scheduled Castes and Scheduled Tribes, such period shall be not less than one year.

¹*((vi) Applicant is in unauthorised occupation of Land applied, for at least a continuous period of not less than three years prior to the first day of January, 2005.]"*

7.13. He submits that Sub-Rule (iv) of Rule 108-F is not applicable to the present case. The



embargo for grant of land under Sub-rule (iv) of Rule 108-F which applies to a person carrying out agricultural activities is not attracted in the given fact situation. The finding of the learned Single Judge that Brindavan of Sri.Raghavendra Swamy is situated in the subject land is incorrect.

7.14. The inter se dispute between the petitioners in terms of O.S.No.113/2016 is of no consequence to the present matter. The parties have settled the dispute in O.S.No.113/2016 by having entered into a compromise. Hence, the averments made in the plaint or written statement in O.S.No.113/2016 could not be looked into by the learned Single Judge.

7.15. Rule 21 of the Karnataka Land Grant Rules, 1969 is reproduced hereunder for easy reference:

"21. Grant of land to religious and charitable institutions. *Notwithstanding anything contained in these rules, the Deputy Commissioner with the prior approval of the Government may grant lands to religious and charitable institutions subject to the following conditions, namely.-*

(i) the extent of land to be granted shall be assessed keeping in view of the purpose of grant,



the present financial condition and the capability of the institution taking into account the scarcity of the available lands. No land shall be granted in excess of the immediate requirement of the institution concerned;

(ii) while fixing the price of land to be granted for non-agricultural purposes, the following conditions shall be allowed, namely.-

(a) no concession in the price of land shall be given to any institution:

Provided that an institutions run purely for religious and charitable purpose such as temples, leprosy treatment centre, old age homes, orphanage and homes for physically and mentally challenged persons etc., without collecting any fee or service charges may be granted land under this proviso at fifty per cent of the market value or guidance value whichever is higher on application made by the institution concerned. The application for concession shall be accompanied with supporting documents for a period of five years immediately prior to the date of application in proof of their satisfactory functioning.]”

7.16. He submits that under Rule 21 of the Rules, 1969 for an entity claiming for grant it has to be both religious and charitable. In the present case as admitted, the Mutt is only a religious institution and not a charitable institution. Therefore, Rule 21 of the Rules, 1969 would not be applicable to the Mutt.

7.17. Rule 108-N is reproduced hereunder for easy reference:



"108-N. Powers of the State Government.- *Notwithstanding anything contained in this chapter, the State Government may, suo motu or on the recommendation of the Divisional Commissioner or the Deputy Commissioner. classes of cases, it is just and reasonable to relax any of the if it is of the opinion that in the circumstances of any case or provisions of these rules, it may, by order direct such relaxation, recording reasons for such relaxation, subject to on such conditions as may be specified in the orders and thereupon lands may be granted in such a case or classes of cases in accordance with such direction.]"*

- 7.18. The order of grant made in favour of the Mutt is under Rule 108-N of the KLR Rules, whereas, the application filed by the Mutt was under Rule 21 of the Rules, 1969. His submission is that Rule 108-N of the KLR Rules would not be applicable to the application filed by the Mutt, inasmuch as the Mutt has not sought for regularization of unauthorized occupation. Hence, the power of the State Government to relax any requirement under Rule 108-N of the KLR Rules, could not have been pressed into service insofar as the application made by the Mutt is concerned. His submission is also that the recommendation has been made under Rule 108(10) of the KLR Rules for grant of land and under Rule 22-A(1)(i)(4) of the Rules, 1969 by fixing the market value at 50%.



- 7.19. Rule 108-N of KLR Rules could not be made applicable to the grant under Karnataka Land Grant Rules, 1969. On the above basis, he submits that the impugned order rendered by the learned Single Judge is required to be set aside.
8. Dr.Archana P.Tiwari, learned Additional Advocate General appearing for respondent Nos.1 to 4 supports the order passed by the learned Single Judge. She submits that
- 8.1. Learned Additional Advocate General appearing for the respondents, at the outset, dismantles the very foundation of the petitioners' claim by contending that the so-called application dated 24.06.2006 is nothing but a casual, unstructured correspondence, not referable to any statutory provision.
- 8.2. It is neither an application under the Karnataka Land Revenue Act, 1964 nor under the Karnataka Land Grant Rules, 1969. It is a mere letter addressed to the Assistant Commissioner seeking allotment of land in Sy. No.37, premised on a sweeping and unverified assertion that the applicant's forefathers had



been “cleaning” and using the land for centuries.

- 8.3. The learned Additional Advocate General would emphasise that such a document cannot, by any stretch of legal imagination, be elevated to the status of a statutory application capable of conferring enforceable rights. More significantly, even this informal representation is confined to Sy. No.37 and makes no reference whatsoever to Sy. No.35. Yet, the petitioners now seek to expand their claim to both survey numbers, revealing, according to her, a progressive enlargement of claims unsupported by any foundational material.
- 8.4. The learned Additional Advocate General then turns to what she characterises as a pattern of calculated litigation strategy bordering on abuse of process. She points out that a Public Interest Litigation in W.P. No.20968/2021 was pursued, and upon the State disclosing that the land had already been granted in favour of the Mutt, the said PIL was disposed of on 07.03.2022.



- 8.5. Barely three days thereafter, on 10.03.2022, the petitioners instituted O.S. No.59/2022. This, according to the learned Additional Advocate General, is not a coincidence but a deliberate attempt to circumvent the consequence of the dismissal of the PIL.
- 8.6. She submits that a PIL in W.P.No.20968/2021 having been filed, the same came to be dismissed on 07.03.2022 on the ground that the grant had been made in favour of the Mutt. Despite being completely aware of the said grant, a false suit had been filed in O.S.No.59/2022 on 10.03.2022 after the dismissal of the PIL, whereunder the plaintiffs claim that the forefather of Sri.Badada Appannacharya was a principal priest performing daily poojas and rituals prior to 1658, and from the year 1950, their grandfather, namely Sri.Badada Gundachar was conducting various rituals and festivals.
- 8.7. She relies on paragraph No.7 of the plaint to contend that the father of the plaintiffs was a professor in Osmania University, Hyderabad and upon his retirement in the year 1980, he



started development of the land by putting up sheds.

- 8.8. This admission, she submits, is fatal to the narrative now sought to be projected, that of a continuous line of hereditary archakas engaged in religious service for centuries. The transition from a professional academic career to a claim of ancient hereditary religious occupation is, in her submission, wholly irreconcilable.
- 8.9. She further relies on paragraph No.9 of the plaint to drive home the point that monies claimed to be invested by the plaintiffs' father earned from his profession as professor and as such, he was not an Archaka performing pooja and religious functions. This, she contends, strips the claim of any sanctity of traditional religious endowment and instead portrays it as a private endeavour to illegally occupy and develop Government land by misusing the name of Raghavendra Swamy.
- 8.10. She submits that in paragraph-19 of the plaint, it is stated that upon floods in Tungabhadra river, petitioners claim that the reconstruction was made with investments from plaintiffs,



their family members, relatives, friends and devotees. The said averment demonstrate that concerted efforts were made by the plaintiffs and their family members to usurp the public money. The learned Additional Advocate General submits that this averment reveals a systematic mobilisation of funds without any legal title, and at the very least raises serious questions as to the legitimacy of such occupation.

- 8.11. She further submits that the reliefs which had been sought for indicate malafide on the part of the petitioners. The reliefs sought for are extracted hereunder for easy reference:

"HENCE IT IS HUMBLY PRAYED THAT:

The Hon'ble Court may be pleased to decree the suit as below:

- 1. Grant a Decree of Declaration declaring that the Plaintiffs have perfected their title over the suit Property by way of adverse Possession.*
- 2. Grant a Decree declaring that if any Land Grant Order is made in favour of any Trust, Association, Organisation, Matha, Mutt or any other legal entities during the pendency of this suit it is to be declared as not binding upon the Plaintiffs or their right of Adverse Possession.*



3. *Grant a Decree of Re-Possession in case the Plaintiffs are evicted by the Defendants during the pendency of this suit.*

4. *Grant a decree of consequential Injunction restraining the defendants or anybody else claiming through or under the Defendants from interfering in the peaceful possession and enjoyment of the Suit Property.*

5. *Any other relief/s this Hon'ble Court deems fit.*

6. *The Cost of the suit may please be awarded.*

In the ends of justice.

8.12. Her submission is that the plaintiffs being fully aware of the approval of the proposal for grant in favour of the Mutt, resulting in dismissal of public interest litigation on 07.03.2022, the suit was filed on 10.03.2022, the second relief which had been sought for was declaration that any land grant order made in favour of any trust, association, organization, Matha, Mutt or any other legal entity during the pendency of the suit is declared to be not binding on the plaintiffs and their right of adverse possession.

8.13. This, she submits, is a telling indicator of the petitioners' awareness of the grant in favour of the Mutt, and their attempt to pre-emptively neutralise it through judicial intervention. The relief is not merely defensive, it is anticipatory



and obstructive, aimed at insulating an otherwise untenable claim.

- 8.14. She submits that the suit is a complete abuse of the process of the Court suppressing all the facts including filing of the public interest litigation and the dismissal thereof. She submits that in the said suit, no order of injunction was granted and the suit ended in dismissal in the year 2026.
- 8.15. She also relies upon the plaint in O.S.No.113/2016, which was filed by petitioner Nos. 1 and 3 against the father of petitioner Nos. 2(a) to 2(e) and petitioner No.4.
- 8.16. She submits that in the said suit, the following reliefs were sought for:

"HENCE IT IS HUMBLY PRAYED THAT,

The Hon'ble Court may kindly be pleased to Decree the suit of the Plaintiffs as under:

a) Decree be passed declaring the Plaintiffs are entitled to Pooja rights and performing other rituals in the suit schedule property being the descendants of Late Narasimhacharya.

b) The Defendants be restrained permanently in interfering with the pooja



rights and performing other rituals of the Plaintiffs over the suit schedule property.

c) *Cost of the suit be awarded.*

d) *Any such other relief or reliefs as the Hon'ble Court may deem fit and proper under the circumstances of the case be awarded in the interest of justice and equity."*

8.17. The reliefs sought categorically indicate that there was a dispute between petitioner Nos.1 and 3 on the one hand and petitioner Nos.2 and 4 on the other hand and the claim made therein was in respect of Pooja rights of Japadakatte Brindavana of Sri.Raghavendra Swamy and other temples therein.

8.18. She submits that the plaintiffs had categorically claimed that it was Sri.Raghavendra Swamy who was performing meditation in the said Japadakatte during his lifetime and their predecessor Sri. Appannacharya was a devotee of Sri.Raghavendra Swamy and he learnt many things from him. After Sri.Raghavendra Swamy entered into Brindavana, Sri.Appannacharya claims to have installed Ekashila Brindavan of Sri Raghavendra Swamy at Bichali to perform pooja.



- 8.19. By referring to paragraph No.5 of the plaint in O.S.No.113/2016, she submits that there is categorical allegation made by the plaintiffs against the defendants that defendant No.2 was a goonda element and had threatened plaintiffs. Use of unsocial element was made in respect thereto and the claim was premised on hereditible pooja right.
- 8.20. She submits that, petitioner Nos.1 and 3 had asserted hereditary pooja rights against petitioner Nos.2 and 4. The very existence of such litigation, she submits, demonstrates that the petitioners are not a unified body asserting a consistent claim, but rather factions engaged in internecine disputes over control and benefits.
- 8.21. She also relies upon the written statement filed by the defendants in the said suit. She relies on paragraph Nos.6, 7, 8, 9, 10 and 14 of the written statement which are reproduced hereunder for easy reference:

"6. The defendants humbly submit that the plaintiff No: 1 was a Research Officer in ICRISAT, Hyderabad and the Plaintiff No: 2 was working as a regional sales officer for RAPTAKOS-BRETT [Pharmaceuticals], Hyderabad, and both having



retired from the jobs do not have you any productive work, as such taking advantage of the Def No: 1's accident and his paraplegia [confined to a wheelchair] during first week of September 2012 came to Bichali Village & started sitting near the Japada Katte by DONNING THE ATTIRE OF A POIUS BRAMHIN BY WEARING SILK MADI VASTRA & PUTTING GOPI CHANDAN MUDRAS, STARTED THUGGING, UNWARY DEVOTEES BY COLLECTING DONATIONS IN NAME OF TEMPLE & GODS AT JAPADAKATTE.

7. The defendants, humbly submit that, the entire Japadakatte was washed away in the River Tungabhadra floods of 2009 and the defendants were seeking the help of local villagers and devotees to reconstruct the entire setup by seeking for small donations from the duties, but in the meanwhile taking advantage of the Flash floods, the plaintiffs approached the Thasildhar, Raichur and filed an application on a COMPUTERISED DOCTORED/FAKE LATER PAD, wherein the Plaintiff No: 2 illegally claimed to be secretary and the Plaintiff No:1 cleaning as the President of a FICTITIOUS ORGANISATION "SHREE THIRTHA KSHETRA JAPADA KATTE BICHALI", got sanctioned the compensation amount of Rs.6,00,000/- out of which they got released Rs.3,00,000/- and SIPHONED OFF THE GOVERNMENT MONEY, however with the intervention of the defendants the government stopped the further disbursal of Rs. 3,00,000/- flood compensation amount and the defendants have produced the documents pertaining to same for the perusal of the honourable court.

8. The defendants humbly submit that they intended to file criminal case against the plaintiffs, but their sisters and other family members desisted them from doing so, because ultimately the revered name of the late father and the ancestors would be effected.

9. The defendants humbly submit that, the plaintiffs did not stop at that and INSPITE OF NOT



AT ALL BEING AT THE HELM OF AFFAIRS NOR CONNECTED TO ANY OF THE DIVINE ACTIVITIES BEING EXCLUSIVELY UNDERTAKEN BY THE DEFENDANTS herein and ONLY WITH THE SOLE & VILE INTENTION OF MAKING ILLEGAL MONEY BY THUGGING NAIVE DEVOTEES, the plaintiffs illegally got registered a Trust Deed consisting of only their family members totally excluding the defendants and other family members and then got printed receipts and again DONNING THE ATTIRE OF A POIUS BRAMHIN BY WEARING SILK MADI VASTRA & PUTTING GOPI CHANDAN MUDRAS, STARTED THUGGING UNWARY DEVOTEES BY COLLECTING DONATIONS IN NAME OF THE TRUST.

10. The defendants humbly submit that coming to know of the illegal trust deed the entire family members including the sisters of the plaintiff and defendant their husbands came to Japadakatte Bichali and demanded an explanation from the plaintiffs, but they simply went away, from the meeting, as such it was decided among the family members that the entire working shall be through Registered Trust constituting of all the family members, as such the defendants were also invited to join the trust to oversee the entire-activities at Japadakatte, but for reasons best known to them they refused, as such they are away from the trust out of their own Volition, as such a trust bearing the name "JAPADAKATTI BICHALI APPANACHARYA SEVA TRUST SHREE THEERTHA KSHETRA BIKSHALAYA" was registered with office of Sub-Registrar, Raichur vide Doc.No: BK-IV 195/12-13 Dated: 08.03.2013 & from then on till date the entire activities he is being administered by the trust & every year the auditing of the trust account is also done.

14.The contents of the Para No.7, is also absolutely false and baseless and is specifically denied further it is again submitted that the Pooja rights are not heritable rights, since the plaintiffs are approaching this Honourable Court and seeking for Pooja rights after having retired from the respective jobs and with the sole eye on the income from the donations



given by the devotees, as such it is specifically pleaded that the plaintiffs to be directed to prove their claim of heritable rights, AS SUCH UNTIL THE ASPECT OF HERITABLE POOJA RIGHTS IS PROVED BY A FULL TRIAL, NO PERMANENT INJUNCTION AS PRAYED FOR BY THE PLAINTIFF CAN BE GRANTED AGAINST THE DEFENDANTS."

- 8.22. By referring to the aforesaid extracted paragraphs, she submits that defendants in the said suit had categorically stated that plaintiff No.1 was a Research Officer in ICRISAT, Hyderabad and plaintiff No.2 was working as a Regional Sales Officer for RAPTAKOS-BRETT (Pharmaceuticals) Hyderabad, and after retirement they donned the attire of a pious Bramhin by wearing silk madi vastra and putting Gopi Chandan Mudras, started thugging unwary devotees by collecting donations in name of Temple and Gods at Japadakatte.
- 8.23. She draws attention to paragraph 6, where it is stated that the plaintiffs therein were employed in secular professions, one as a Research Officer in ICRISAT and the other as a Regional Sales Officer in a pharmaceutical company, and only after retirement assumed a religious persona.



- 8.24. She submits that the averments go further, alleging that such transformation was accompanied by collection of donations from devotees. While the Court may not adjudicate upon the veracity of such allegations in these proceedings, their presence in sworn pleadings underscores the deep fractures and credibility issues surrounding the petitioners' claim.
- 8.25. She submits that petitioner Nos.2 and 4 have alleged that petitioner Nos.1 and 3 have filed an application on a computerised doctored/fake letter pad, by creating a fictitious organization by name "Shree Thirtha Kshetra Japada Katte Bichali", and got sanctioned the compensation amount of Rs.6,00,000/- out of which they got released Rs.3,00,000/- However, with the intervention of petitioner Nos.2 and 4, the Government stopped further disbursal. There are criminal cases also proposed to be filed but at the instance of sisters and family members, they were not so filed. They had categorically stated that there are no heritable pooja rights vested in the plaintiffs as claimed and it is the defendants who had the right to perform the pooja.



- 8.26. Reference is also made to paragraph 7 of the written statement, which alleges misuse of flood compensation and creation of a fictitious entity to secure Government funds. The learned Additional Advocate General submits that even if such allegations are contested, they reinforce the point that the petitioners' claim is mired in serious factual disputes and cannot be treated as a settled or bona fide assertion of right.
- 8.27. She also relies on paragraph 14 of the written statement, wherein it is specifically contended that pooja rights are not heritable and that the plaintiffs must strictly prove such a claim. This, she submits, directly contradicts the present attempt to project a centuries-old hereditary entitlement.
- 8.28. Building on these submissions, the learned Additional Advocate General contends that the petitioners' case is a classic example of mutually destructive pleadings. In one proceeding, they claim adverse possession; in another, hereditary religious rights; and in yet another, challenge a grant based on long possession. These positions, she submits, are legally incompatible and factually irreconcilable.



8.29. She submits that when such a denial was made in a suit filed by petitioners Nos 1 and 3 against petitioners Nos 2 and 4, the question of petitioners now coming together and claiming that they have a hereditary pooja right tracing back to Appannacharya is completely false. Be that as it may, she submits that any claim of adverse possession or otherwise ought to have been agitated in a suit in O.S.No.59/2022 which has now ended in a dismissal. Hence, no such claim of adverse possession has been established by them and in that background, she submits that the only claim is for the regularisation of unauthorised possession, and such unauthorised occupants do not have the right to seek regularisation. The regularization if any would be at the discretion of the Government.

8.30. She further submits that the suit in O.S. No.59/2022, founded on adverse possession, has already been dismissed. Thus, the petitioners stand stripped of any claim to title. What remains is at best a plea for regularisation of unauthorised occupation,



which, in law, is not a right but a matter of State discretion.

8.31. The learned Additional Advocate General then contrasts this with the position of the Mutt. She submits that the Mutt has made a formal application under Rule 21 of the Karnataka Land Grant Rules, 1969, in the prescribed format, supported by relevant material. The application has been duly processed by the competent authorities, culminating in a lawful grant.

8.32. She therefore submits, in emphatic terms, that the order of the learned Single Judge is unassailable, suffers from no infirmity either on facts or in law, and warrants no interference.

8.33. She submits that the petitioners have sought to misuse the name of Sri.Raghavendra Swamy in order to get financial benefits and in the words of petitioner Nos.2 and 4, petitioner Nos.1 and 3 have resorted to thuggary and cheating of innocent devotees.

8.34. It is on account of the petitioners claiming that there is Ekshila Brindavana of Sri.Raghavendra Swamy where infact, the Brindavana is in the



property of the Mutt and that the Mutt had made an application for grant of the aforesaid land under rule 21 of the Rules, 1969, vide a proper application as per format produced at Annexure-R10 and this application was processed by the authorities concerned and grant was made in favour of the Mutt which cannot be found fault with.

8.35. In summation, the learned Additional Advocate General submits that the petitioners have sought to cloak an unauthorised occupation with a veneer of religious legitimacy, while their own pleadings expose inconsistencies, internal disputes, and absence of any legal right.

8.36. The writ petition, and consequently the appeal, according to her, is bereft of merit, tainted by suppression and contradiction, and constitutes a clear abuse of the process of law.

9. Sri. J. Augustin, learned counsel for respondent No.5- Mutt, would reiterate the arguments of Dr. Archana P. Tiwari, learned Additional Advocate General. He submits that

9.1. Learned counsel submits that the present litigation is not a bona fide assertion of any



legal right but is, in substance, an attempt by the petitioners to appropriate and monetise the religious goodwill and spiritual legacy of the Mutt. The petitioners, having no legally recognised title, right, or status, have sought to cloak an unauthorised occupation under the garb of religious service, thereby attempting to legitimise what is otherwise impermissible in law.

9.2. He would emphasise that the Ekshila Brindavana situated on the land in question is not an independent or private structure but is integrally connected with the spiritual lineage of Sri Raghavendra Swamy and the religious traditions administered by the Mutt. The Mutt, being the recognised and established religious institution, is the custodian of such heritage, and its role is not merely proprietary but fiduciary in nature, extending to the protection of devotees and preservation of sanctity.

9.3. The Ekshila Brindavana established in the land in question is of Sri.Raghavendra Swamy which belongs to Sri.Raghavendra Swamy Mutt and the Mutt therefore has a clear and categorical right and is also duty bound to protect innocent



devotees from any act of cheating committed by the petitioners.

- 9.4. His submission is also that on account of any misdeeds of the petitioners by misusing the name of Sri.Raghavendra Swamy, it is the Mutt whose reputation is being adversely affected.
- 9.5. There being several allegations against the petitioners, it is in order to protect the interest of the Mutt that the Mutt made an application for grant of the land in Sy.Nos.35 and 37 which was so granted after following all required procedures.
- 9.6. In that context, any unauthorised assertion of control over such a site by private individuals amounts to a serious encroachment upon institutional and religious rights, which the Mutt is both entitled and duty-bound to resist.
- 9.7. Learned counsel further submits that the conduct attributed to the petitioners, particularly the alleged collection of funds and representation of association with the sacred site, has a direct and adverse impact on the Mutt. Such acts, if permitted, would result in



misleading innocent devotees, erosion of faith, and dilution of the credibility of the institution.

9.8. He would submit that the law cannot lend its imprimatur to such conduct by permitting persons without title or authority to hold themselves out as custodians of a religious institution.

9.9. It is further submitted that the material placed on record, including the pleadings in various civil suits, reveals that the petitioners themselves are not ad idem and have taken shifting and mutually inconsistent stands. In one proceeding, they claim hereditary pooja rights; in another, adverse possession; and in the present proceedings, long-standing occupation coupled with a plea for regularisation.

9.10. Such inconsistent pleas, according to learned counsel, are not merely alternative legal strategies but are mutually destructive assertions, which undermine the very credibility of the petitioners' case.

9.11. Learned counsel would submit that the petitioners cannot, in law, assert a right to



continue in possession of Government land merely because they have been in unauthorised occupation for a considerable period. Length of possession, in the absence of legal sanction, does not ripen into a right, particularly where the claim of adverse possession has already failed before the competent civil court.

9.12. He would further contend that the plea for regularisation of unauthorised occupation under Section 94-A of the Karnataka Land Revenue Act, 1964 is wholly misconceived in the facts of the present case. The statutory scheme contemplates regularisation in favour of eligible agriculturists cultivating the land personally, and not for persons who claim to have developed the land for non-agricultural or religious purposes.

9.13. Thus, even assuming the petitioners' case at its highest, they do not satisfy the threshold eligibility criteria, and therefore cannot claim any enforceable right to seek regularisation.

9.14. In contrast, the Mutt has approached the authorities through a proper statutory channel, by submitting an application under Rule 21 of



the Karnataka Land Grant Rules, 1969. The application was made in the prescribed format, supported by relevant material, and has been processed by the competent authorities after due consideration.

- 9.15. The grant in favour of the Mutt, therefore, is not an arbitrary exercise of power but a structured administrative decision taken in accordance with the governing statutory framework.
- 9.16. Learned counsel further submits that the petitioners' challenge is fundamentally flawed on the ground of maintainability. The writ petition, as filed, challenges only a proposal or recommendation, which has subsequently culminated in a final order of grant dated 28.03.2022.
- 9.17. In such circumstances, the doctrine of merger squarely applies, and the challenge to the proposal cannot survive independently of the final order. The petitioners, having failed to amend the writ petition or specifically assail the final grant order, cannot seek to indirectly challenge the same.



- 9.18. It is further submitted that the contention of the petitioners that the final order was not within their knowledge is wholly untenable, inasmuch as the petitioners were already aware of the approval of the proposal during the earlier PIL proceedings. The subsequent events, including institution of the civil suit, clearly demonstrate that the petitioners were fully conscious of the developments, yet chose not to mount an appropriate legal challenge.
- 9.19. Learned counsel also submits that the petitioners lack the requisite locus standi to challenge the grant. Having failed to establish any legal right, title, or even a statutorily recognised claim, they cannot question a grant made in favour of a third party in accordance with law. Mere unauthorised occupation, even if longstanding, does not confer a right to interdict a lawful grant by the State.
- 9.20. In summation, learned counsel submits that the entire edifice of the petitioners' case rests on unauthorised occupation, inconsistent pleadings, and an attempt to derive legitimacy from religious association, none of which can be recognised in law. The grant in favour of the



Mutt, on the other hand, is supported by statutory compliance, institutional legitimacy, and public interest.

9.21. He therefore submits that the impugned order passed by the learned Single Judge is well-reasoned, legally sound, and calls for no interference. The appeal, being devoid of merit and lacking in bona fides, deserves to be dismissed in limine.

9.22. He supports the impugned order passed by the learned Single Judge and submits that, final grant order not having been challenged, only a proposal having been challenged, the proposal having merged with the final order of grant, the writ petition was rendered infructuous, requiring it to be dismissed.

10. Heard Sri.Dhyan Chinnappa, learned Senior Counsel appearing for the appellants, Dr.Archana P.Tiwari, learned Additional Advocate General for respondent Nos.1 to 4 and Sri.J.Augustin, learned counsel for respondent No.5 and perused the papers.

11. The points that would arise for determination are:



- I) Whether an application for regularization of unauthorized occupation has been filed by the petitioners for the land in Sy.Nos.35 and 37 of Bichali village, Raichur Taluk and District?
- II) Whether writ petition filed by the petitioners in W.P.No.200817/2022 was maintainable, when the application for regularization of unauthorized occupation was made by the Trust who are not parties to the writ petition?
- III) Whether the application for grant of land made by Sri.Raghavendra Swamy Mutt under Rule 21 of the Karnataka Land Grant Rules, 1969 could have been considered by exercising power under Rule 108-N of the Karnataka Land Revenue Rules, 1966?
- IV) Whether the representation dated 24.06.2006 submitted by the petitioners, even if considered a proper application, could be considered for the grant of agricultural land in view of Rule 108-F of the Karnataka Land Revenue Rules, 1966?
- V) Whether the procedure prescribed has been followed while considering the application for the grant of the aforesaid land made by Sri.Raghavendra Swamy Mutt?
- VI) Whether the order passed by the learned Single Judge suffers from



any legal infirmity requiring interference at the hands of this Court.

VII) What order?

12. We answer the above points as under:
13. **Answer to Point No.(I): Whether an application for regularization of unauthorized occupation has been filed by the petitioners for the land in Sy.Nos.35 and 37 of Bichali village, Raichur Taluk and District?**

13.1. Sri Dhyan Chinnappa, learned Senior Counsel for the Appellants, submitted that the letter dated 24.06.2006 addressed to the Assistant Commissioner, Raichur Circle, constituted a valid, pre-Trust application by the individual Petitioners, and that their decades-long possession of the subject land for religious purposes coupled with this letter established a claim the authorities were duty-bound to consider before granting the land to a third party. He conceded the letter was not in Form 57, but argued that the Petitioners should not be penalised for not filing in the prescribed form, and that substance should prevail over procedure. He further submitted that representation having been filed before any



Trust was formed, the 2006 letter vested individual rights that the subsequent formation of a Trust could not divest.

13.2. Dr. Archana P. Tiwari learned Additional Advocate General submitted that the document dated 24.06.2006 is an informal letter addressed to the Assistant Commissioner, who is not the prescribed authority under Rule 108-CCC; it is not in Form 57; it is not accompanied by the prescribed fee of Rs.100/-; and it finds no anchor in any provision of the Karnataka Land Revenue Act, 1964, the KLR Rules, 1966, or the Karnataka Land Grant Rules, 1969.

13.3. She further pointed out that the 2006 letter references only Sy.No.37 and makes no mention of Sy.No.35, yet the Petitioners seek relief over both survey numbers, an unexplained expansion of claim that has no documentary foundation. She also submitted that the application for regularisation under Section 94-A was filed by the Trust, a separate juristic entity not party to the Writ Petition, and its application cannot be attributed to the individual Petitioners.



- 13.4. Sri J. Augustin, learned counsel submitted that the Mutt's formal application under Rule 21 of the Karnataka Land Grant Rules, 1969, made in the prescribed format, supported by relevant documents, and processed through the competent authority, stands in stark contrast to the Petitioners' informal letter. The learned Single Judge's finding that no valid application was pending in the names of the individual Petitioners is correct and calls for no interference.
- 13.5. Rule 108-CCC of the KLR Rules, 1966, as reproduced in this judgment, unambiguously requires any application for regularisation of unauthorised occupation under Section 94-A to be addressed to the Tahsildar of the concerned Taluk, filed in Form 57, and accompanied by a fee of Rs.100/-. These are not directory niceties; they are jurisdictional prerequisites that define what constitutes a valid application under the scheme.
- 13.6. Tested against these requirements, the 2006 letter fails entirely. It is addressed to the Assistant Commissioner, not the Tahsildar. It is not in Form 57 and was not accompanied by



any fee. There is no record of it being entered in Form 58. The argument that substance should prevail over form is unavailable here: the requirements go to jurisdiction, not mere formality. A letter that was never filed before the prescribed authority, in the prescribed form, through the prescribed channel, is not an application under the scheme at all, there is no substance to which any form could be given.

13.7. Additionally, the 2006 letter covers only Sy.No.37. No document, however informal, supports a claim over Sy.No.35. The inclusion of Sy.No.35 in the Writ Petition is an unilateral expansion of the claim that finds no foundation in the Petitioners' own record.

13.8. The application for regularisation under Section 94-A was filed by the Japadakatti Bichali Appanacharya Seva Trust Shree Theertha Kshetra Bikshalaya, a registered Trust that is a distinct juristic entity. The individual Petitioners filed no application in the prescribed form. A Trust's application cannot be attributed to its members to establish their personal locus in proceedings the Trust has not joined.



13.9. The document dated 24.06.2006 is an informal letter addressed to the wrong authority (Assistant Commissioner, not Tahsildar), not in Form 57, not accompanied by the prescribed fee, and covering only Sy.No.37. It does not constitute a valid statutory application under Section 94-A of the Karnataka Land Revenue Act, 1964 read with Rule 108-CCC of the KLR Rules. The Trust's application cannot be treated as the individual Petitioners' application, as the Trust is a separate juristic entity not party to the Writ Petition.

13.10. Hence, we answer Point No.(I) by holding that no valid statutory application for regularisation of unauthorised occupation was filed by the Petitioners in respect of Sy.Nos.35 and 37.

14. **Answer to Point No.(II): Whether writ petition filed by the petitioners in W.P.No.200817/2022 was maintainable, when the application for regularization of unauthorized occupation was made by the Trust who are not parties to the writ petition?**

14.1. Sri Dhyan Chinnappa, learned Senior Counsel submitted that the Writ Petition was maintainable because: (i) the 2006 letter



predates the Trust and preserves individual locus; (ii) the Petitioners are Trust members with direct interest in the land; (iii) the Writ Petition was filed on 21.03.2022, seven days before the final grant order of 28.03.2022, so the non-challenge to the final order is an inadvertent omission, not a deliberate choice; and (iv) the final order is merely consequential, and a challenge to the principal approval necessarily encompasses it. He further submitted that the authorities were required to consider the Petitioners' prior claim before making the grant, and their failure to do so vitiates the process and supports standing.

14.2. Dr. Archana P. Tiwari learned Additional Advocate General submitted that the Petitioners have no independent statutory application pending before any competent authority and therefore lack locus standi. An individual Trust member cannot derive standing from the Trust's pending application, particularly where the Trust is not a party and no authorisation has been produced. She submitted that the Writ Petition challenges only the Government's prior approval of 24.02.2022, not the final



grant order of 28.03.2022 passed by the Deputy Commissioner. The prior approval, having been acted upon and implemented, has merged into the final order and ceased to have independent existence. A challenge only to the approval does not attack the completed grant.

14.3. On the claim of unawareness of the final order, Dr. Archana P. Tiwari learned Additional Advocate General submitted that the Petitioners were fully aware of the grant throughout. She relied on the following sequence: the PIL (W.P.No.20968/2021) was disposed of on 07.03.2022 on the basis that the grant had been proposed to be made in favour of the Mutt; three days later, on 10.03.2022, the Petitioners filed O.S.No.59/2022 and specifically sought as the second relief a declaration that any land grant made during the suit's pendency would not bind them, an anticipatory and targeted challenge to the known grant. The Writ Petition followed on 21.03.2022. Despite four years of proceedings before the learned Single Judge, the Petitioners never amended the Writ Petition to include the final order. The omission is deliberate and fatal.



14.4. She further relied on the conduct of the Petitioners across multiple proceedings to demonstrate the absence of any coherent, bona fide claim. O.S.No.113/2016, filed by Petitioner Nos.1 and 3 against Petitioner Nos.2 and 4 claiming exclusive hereditary pooja rights over the very same site, reveals sharp inter se disputes within the claimant group. The written statement in that suit (paragraphs 6, 7, 8, 9, 10, and 14) records that the Defendants therein alleged: that Petitioner No.1 was a Research Officer at ICRISAT and Petitioner No.2 a Regional Sales Officer with RAPTAKOS-BRETT Pharmaceuticals and that both assumed a religious persona only after retirement; that the Petitioners exploited the 2009 Tungabhadra floods to obtain Government flood compensation of Rs.3,00,000/- through a fictitious organisation on a 'computerised doctored/fake letter pad', of which a criminal complaint was contemplated but not filed; and that pooja rights are not heritable. She also relied on paragraphs 7, 9, and 19 of the plaint in O.S.No.59/2022, which admit that the father of the Plaintiffs was a professor at Osmania University, that land development began only



after his retirement in 1980, that development funds came from his professional earnings, and that flood reconstruction was financed by family, friends, and devotees, as admissions that destroy the claimed lineage of unbroken hereditary religious occupation going back to 1658 A.D.

14.5. The Petitioners also take mutually destructive positions: adverse possession in O.S.No.59/2022 (which has since been dismissed), hereditary religious rights in O.S.No.113/2016, and regularisation of unauthorised occupation here, three legally incompatible claims that cannot coexist. O.S.No.59/2022 having been dismissed, the Petitioners are now entirely without any legal foundation.

14.6. Sri J. Augustin, learned counsel submitted that the doctrine of merger squarely applies: the prior approval of 24.02.2022 is subsumed in the final grant order of 28.03.2022, and the Writ Petition is directed at an order that no longer has independent existence. The second relief in O.S.No.59/2022 filed on 10.03.2022 conclusively establishes that the Petitioners



knew of the grant; their failure to amend the Writ Petition over four years is not accidental. He further submitted that bare unauthorised occupation confers no enforceable right to resist a lawful grant; the Mutt, is the institutional custodian of the legacy and teachings of Sri Raghavendra Swamy's which is admitted by the petitioners by referring to his visit in 1658 A.D.,

- 14.7. Three independent and self-sufficient grounds determine maintainability: (a) locus standi; (b) the doctrine of merger and non-challenge to the final order; and (c) the Petitioners' conduct across proceedings.
- 14.8. On locus standi: The Petitioners' three asserted bases, the 2006 letter, long-standing possession, and Trust membership, all fail. The 2006 letter is not a valid statutory application (Point I). Unauthorised occupation, however long, confers no right against the State. A Trust member acting in personal capacity cannot derive standing from the an individuals's pending application, particularly without the Trust's authorisation and where the Trust is not before the Court.



14.9. On merger and the non-challenge to the final order: The Government Order of 24.02.2022 is prior approval, a precondition, not the grant itself. The grant is completed only by the Deputy Commissioner's order of 28.03.2022, which independently exercises statutory power and vests rights in rem. Once that order was passed, the prior approval was subsumed within it. The Writ Petition, challenging only the approval, does not attack the completed grant. The argument that the final order is merely consequential fails: Rule 21 vests an independent power of grant in the Deputy Commissioner; his order is not a ministerial communication of the Government's decision but an independent exercise of statutory authority.

14.10. The argument of unawareness is untenable. The Petitioners filed W.P.No.20968/2021 (PIL) which was disposed of on 07.03.2022 on the specific ground that the grant had been made in favour of the Mutt. Three days later they filed O.S.No.59/2022, whose second relief, a declaration that any land grant made during the suit's pendency would not bind them, is a



direct, targeted pre-emption of the very grant they claim to have been unaware of. A person who files a suit to neutralise a known grant cannot maintain in a contemporaneous Writ Petition that he was unaware of that grant. The proceedings ran for four years; at no stage did the Petitioners seek to include the final order. The omission is fatal.

14.11. On the conduct across proceedings: This Court treats the pleadings in O.S.No.113/2016 and O.S.No.59/2022 as conduct evidence, not proved facts. The inter se dispute, where the very persons now claiming a unified hereditary right litigated against each other over that same right, demonstrates the absence of a coherent, settled claim.

14.12. The Petitioners' positions are mutually destructive: adverse possession (hostile occupation against the owner, implicitly denying unauthorised nature) and regularisation of unauthorised occupation (expressly admitting unauthorised nature) cannot coexist. O.S.No.59/2022 having been dismissed, the Petitioners stand without any civil court-recognised basis of title.



14.13. The plaint in O.S.No.113/2016 further concedes that the Ekashila Brindavana at Bichali is a memorial to Sri Raghavendra Swamy, thereby acknowledging the Mutt's institutional connection to the site.

14.14. The Writ Petition was not maintainable on three independent grounds: (a) individual Petitioners lacked locus standi; (b) the final grant order dated 28.03.2022 was not specifically challenged, and the prior approval of 24.02.2022 had merged into that order; and (c) the Petitioners were fully aware of the grant, as evidenced by the second relief in O.S.No.59/2022, yet never amended the Writ Petition.

14.15. We answer Point No. (II) by holding that writ petition filed by the petitioners in W.P.No.200817/2022 was not maintainable, when the application for regularization of unauthorized occupation was made by the Trust who are not parties to the writ petition?

15. **Answer to Point No.(III): Whether the application for grant of land made by Sri.Raghavendra Swamy Mutt under Rule 21 of the Karnataka Land Grant Rules, 1969 could have been considered by**



**exercising power under Rule 108-N of the
Karnataka Land Revenue Rules, 1966?**

15.1. Sri Dhyan Chinnappa, learned Senior Counsel submitted that Rule 108-N of the KLR Rules, which enables the State Government to relax provisions of 'this chapter', is confined to the chapter in the KLR Rules dealing with regularisation of unauthorised occupation. It cannot be invoked to relax requirements under the Karnataka Land Grant Rules, 1969, a separate set of rules. Similarly, Rule 108(10) of the KLR Rules is part of the regularisation scheme and has no application to a Rule 21 grant. The invocation of these inapplicable provisions in the grant order vitiates the grant. He further submitted that Rule 21 applies only to 'religious and charitable institutions', a conjunctive requirement, and the Mutt, being purely religious and not demonstrably charitable in the strict sense, is outside its scope.

15.2. Dr. Archana P. Tiwari learned Additional Advocate General submitted that the Mutt is institutionally established as both religious and charitable, conducting Annadana, educational



programmes, and charitable healthcare in addition to its religious activities. The Mutt's application was made in the prescribed format under Rule 21 (Annexure-R10), processed through the Deputy Commissioner, and accorded prior Government approval. Rule 108-N was invoked as a supplementary measure; even if its invocation is technically questionable, the substantive grant under Rule 21, which was properly processed at every step, is not vitiated.

15.3. Sri J. Augustin, learned counsel submitted that Rule 21's Proviso expressly lists temples alongside leprosy treatment centres, old age homes, and orphanages as eligible grantees, demonstrating that institutions of a religious character serving the public are within the Rule's scope. The Mutt, which maintains temples and serves devotees, clearly qualifies. The invocation of Rule 108-N was unnecessary and harmless; substantial compliance with Rule 21 is what the law demands, and that has been achieved.

15.4. Two sub-issues arise: (a) the applicability of Rule 108-N to a Rule 21 application; and (b)



whether the Mutt satisfies the 'religious and charitable' requirement.

15.5. On sub-issue (a): Rule 108-N confines itself expressly to 'this chapter' and 'these rules', referring to the KLR Rules' chapter on regularisation of unauthorised occupation. The KLR Rules, 1966 and the Karnataka Land Grant Rules, 1969 are distinct sets of subordinate legislation. Sri Dhyan Chinnappa is correct that Rule 108-N has no application to a Rule 21 application. However, this does not invalidate the grant, which is founded substantively on Rule 21. The record establishes that every step Rule 21 requires, prescribed-format application (Annexure-R10), Deputy Commissioner's field inspection and recommendation, prior Government approval (24.02.2022), final grant order (28.03.2022), and pricing at 50% under Rule 22-A(1)(i)(4), was completed. The surplus mention of Rule 108-N is incidental and cannot contaminate an otherwise lawful grant. An administrative order is not invalidated merely because additional, unnecessary reasons are assigned, provided the order is sustainable on the valid primary ground.



- 15.6. On sub-issue (b): The Mutt conducts Annadana, educational activities, and charitable healthcare alongside its religious functions. Rule 21's Proviso expressly places temples alongside leprosy treatment centres, old age homes, and orphanages as eligible grantees at concessional rates, a clear legislative recognition that religious institutions serving the public satisfy the 'religious and charitable' requirement. The argument that the Mutt lacks a charitable character elevates semantics above legislative intent and is rejected.
- 15.7. On Rule 21(i): The conditions requiring assessment of extent, purpose, financial condition, and immediate need are within the Deputy Commissioner's discretion. No material before this Court shows that these conditions were not met. This Court cannot second-guess the competent authorities' assessment, unless grounds are made out.
- 15.8. Rule 108-N of the KLR Rules is not applicable to an application under Rule 21 of the Karnataka Land Grant Rules, 1969. However, this does not vitiate the grant, which is substantively and procedurally founded on Rule 21. Sri



Raghavendra Swamy Mutt is a religious and charitable institution within the meaning of Rule 21 and is eligible for the grant. The grant is valid and subsists.

15.9. We therefore answer Point No. (III) by holding that (a) Rule 108-N is inapplicable to a Rule 21 application, but this does not vitiate the grant; and (b) the Mutt is a religious and charitable institution eligible for the grant under Rule 21. This Point is answered accordingly.

16. **Answer to Point No.(IV): Whether the representation dated 24.06.2006 submitted by the petitioners, even if considered a proper application, could be considered for the grant of agricultural land in view of Rule 108-F of the Karnataka Land Revenue Rules, 1966?**

16.1. Sri Dhyan Chinnappa, learned Senior Counsel submitted that Rule 108-F(iv)'s requirement of being 'a bona fide agriculturist cultivating the land personally' is simply inapplicable here because the land is used for religious, not agricultural, purposes. He argued that the learned Single Judge mechanically applied a provision not intended for this context.

16.2. Dr. Archana P. Tiwari, learned Additional Advocate General submitted that the eligibility



conditions in Rule 108-F are cumulative and substantive. The Petitioners describe the land as a 'religious and tourist site' (O.S.No.59/2022) and themselves as hereditary archakas, not as agriculturists, and therefore cannot satisfy Rule 108-F(iv).

16.3. She submitted that the argument of inapplicability is self-defeating: the entire scheme of Section 94-A and Rules 108-CCC and 108-F is designed for regularisation of unauthorised agricultural occupation; if the land is non-agricultural and the occupant is not an agriculturist, the scheme does not apply at all.

16.4. Sri J. Augustin, learned counsel for respondent No.5 submitted that Section 94-A and Rules 108-CCC and 108-F constitute an integrated scheme for agricultural regularisation. The conditions in Rule 108-F define the eligible class. The Petitioners, who describe themselves as religious functionaries, are outside that class. Invoking the scheme while arguing its key eligibility condition does not apply is internally contradictory.



- 16.5. Rule 108-F(iv), as extracted in this judgment, requires the applicant to be 'a bona fide agriculturist cultivating the land personally and not prohibited from holding or acquiring land under the Karnataka Land Reforms Act, 1961'. The conditions are cumulative.
- 16.6. Sri Dhyan Chinnappa's argument that Rule 108-F(iv) is inapplicable because the land is non-agricultural is logically self-destructive. Section 94-A and the rules framed under it, from the Committee's constitution to the eligibility conditions to the prescribed forms, form an integrated scheme designed for regularisation of unauthorised agricultural occupation by bona fide cultivators. If the occupant is not an agriculturist and the land is not used for agriculture, the scheme does not apply at all. A person cannot selectively invoke the scheme to seek regularisation while simultaneously arguing that its central eligibility condition has no application to him.
- 16.7. Even applying Rule 108-F(iv) directly, the Petitioners fail it. Their own pleadings, in the Writ Petition, in O.S.No.59/2022 (land described as a 'religious and tourist site'), and



in O.S.No.113/2016 (claim is for hereditary pooja rights), consistently describe them as religious functionaries, not agriculturists. This is fatal whether Rule 108-F(iv) is read as applicable or inapplicable.

16.8. The Petitioners are not bona fide agriculturists cultivating the land personally and therefore do not satisfy Rule 108-F(iv). Their own pleadings describe the land as used for religious purposes and themselves as religious functionaries. The argument that Rule 108-F(iv) is inapplicable because the land is non-agricultural has the further effect of placing the Petitioners entirely outside the Section 94-A regularisation scheme.

16.9. We therefore answer Point No.(IV) by holding that the representation dated 24.06.2006 submitted by the petitioners, even if considered a proper application, can not be considered for the grant of agricultural land in view of Rule 108-F of the Karnataka Land Revenue Rules, 1966, namely the applicants not being agriculturists and that the grant is sought for non agricultural purposes.



17. **Answer to Point No.(V): Whether the procedure prescribed has been followed while considering the application for the grant of the aforesaid land made by Sri.Raghavendra Swamy Mutt?**

17.1. Sri Dhyan Chinnappa, learned Senior Counsel submitted that the prescribed procedure was not followed because: (i) the grant order invokes Rule 108-N, which is inapplicable; (ii) the recommendation relied on Rule 108(10) of the KLR Rules, which belongs to the regularisation scheme; and (iii) the authorities were required to consider the Petitioners' prior claim before making the grant.

17.2. Dr. Archana P. Tiwari, learned Additional Advocate General submitted that the Mutt's application (Annexure-R10) was made in the prescribed format under Rule 21 with all required supporting material. The Deputy Commissioner conducted a field inspection, forwarded recommendations, the Government accorded prior approval on 24.02.2022, and the Deputy Commissioner passed the final grant order on 28.03.2022, with pricing fixed at 50% under Rule 22-A(1)(i)(4), each step in strict conformity with Rule 21. Rule 21 and Section 94-A are independent frameworks; Rule 21



contains no obligation to consider applications pending under other statutory mechanisms before making a grant.

17.3. Sri J. Augustin, learned counsel for respondent No.5 submitted that every step under Rule 21 was followed. The Petitioners had no valid application before the Deputy Commissioner at any time: the 2006 letter was addressed to the Assistant Commissioner, and the Trust's Section 94-A application was before the Tahsildar/Committee. There was nothing for the Deputy Commissioner to consider from the Petitioners' side before proceeding under Rule 21.

17.4. Rule 21 requires: an application by a religious/charitable institution; assessment of extent, purpose, and financial condition; prior Government approval; and a final order by the Deputy Commissioner. All four requirements are satisfied on record: formal application in prescribed format (Annexure-R10), field inspection and recommendation by the Deputy Commissioner, prior approval by the State Government on 24.02.2022, final grant order on 28.03.2022, and pricing fixed under Rule



22-A(1)(i)(4). The surplus invocation of Rule 108-N and Rule 108(10) does not vitiate the grant for the reasons already stated under Point III.

17.5. The argument that the Petitioners' prior claim required consideration fails for two reasons. First, Rule 21 imposes no such obligation; the Section 94-A regularisation scheme and the Rule 21 grant scheme are independent processes administered by different authorities with different jurisdictions, no provision links or subordinates one to the other. Second, and in any event, the Petitioners had no valid statutory application pending before the Deputy Commissioner: the 2006 letter was never before that authority, and the Trust's Section 94-A application was before the Tahsildar/Committee.

17.6. Every step required by Rule 21 of the Karnataka Land Grant Rules, 1969, formal application, field inspection and recommendation by the Deputy Commissioner, prior Government approval, final grant order, and pricing under Rule 22-A(1)(i)(4), was followed. No procedural irregularity vitiating the grant has been



established. The alleged speed at which these actions were taken cannot be ground to assail them, without any infirmity being shown. The conduct of the petitioners in trying to make use of the good will of the mutt, in our considered opinion necessitated such speed, lest further harm and injury is caused to innocent devotees.

17.7. We answer Point No.(V) by holding that the procedure prescribed has been followed while considering the application for the grant of the aforesaid land made by Sri.Raghavendra Swamy Mutt.

18. **Answer to Point No.(VI): Whether the order passed by the learned Single Judge suffers from any legal infirmity requiring interference at the hands of this Court?**

18.1. Sri Dhyan Chinnappa, learned Senior Counsel submitted that the order of the Learned single judge dated 02.04.2026 suffers from the following infirmities: (i) non-maintainability was decided too narrowly; (ii) the 2006 application was not given appropriate weight; (iii) Rule 108-F was mechanically applied; (iv) the Rule 108-N issue and the Mutt's eligibility under Rule 21 were not examined; (v) the learned Single



Judge relied on the compromised O.S.No.113/2016 pleadings against the Petitioners; and (vi) the finding that the Brindavana of Sri Raghavendra Swamy is situated in the subject land is factually incorrect.

18.2. Dr. Archana P. Tiwari, learned Additional Advocate General submitted that the learned Single Judge's order rests on multiple independent grounds each sufficient to sustain the dismissal: the so called application filed by the Petitioners is no application at all hence there is no valid individual application; the Trust (not the individual Petitioners) applied for regularisation; ineligibility under Rule 108-F; and non-challenge to the final grant order. The reliance on pleadings in O.S.No.113/2016 is legitimate conduct evidence; a compromise does not erase admissions from the judicial record. The dismissal of O.S.No.59/2022 confirms the correctness of the overall assessment. No error of law, jurisdiction, or perversity has been demonstrated.

18.3. Sri J. Augustin, learned counsel for respondent No.5 submitted that the learned Single Judge



correctly appreciated the entire factual matrix and arrived at a legally sound conclusion not susceptible to appellate interference. The Brindavana finding is supported by the Petitioners' own concession in O.S.No.113/2016 that their ancestor installed the Ekashila Brindavana of Sri Raghavendra Swamy at Bichali, the saint whose tradition the Mutt institutionally embodies. The Writ Appeal is part of a continuing strategy to obstruct the Mutt's enjoyment of a lawful grant and should be dismissed.

- 18.4. In an intra-court appeal under Section 4 of the Karnataka High Court Act, the Division Bench exercises first appellate jurisdiction. It re-examines all questions of law and fact, though it is slow to disturb findings of fact unless they are perverse or based on a misreading of evidence.
- 18.5. The learned Single Judge's conclusions align with each of this Court's findings under Points I through V: the 2006 letter is not a valid statutory application (Point I); the Writ Petition is not maintainable for lack of locus standi and non-challenge to the final order (Point II); the



Petitioners are ineligible under Rule 108-F (Point IV); and the Mutt's grant is substantively and procedurally valid under Rule 21 (Points III and V). Each finding independently sustains the dismissal.

18.6. On the submission that the learned Single Judge wrongly relied on O.S.No.113/2016: we have addressed this in answer to point No. II. A compromise settles the lis but does not erase the admissions and conduct evidence in the pleadings. The learned Single Judge was entitled to take note of the inter se disputes as conduct evidence bearing on bona fides. Additionally, the dismissal of O.S.No.59/2022, a development subsequent to the filing of the Writ Petition, confirms the correctness of the overall assessment.

18.7. On the Brindavana finding: the Petitioners' own plaint in O.S.No.113/2016 records that their ancestor installed the Ekashila Brindavana of Sri Raghavendra Swamy at the Japadakatte site. The finding that this Brindavana is associated with the Mutt's religious tradition is, on the Petitioners' own account, unimpeachable. Even setting aside this specific



finding, the dismissal of the Writ Petition rests on the independent grounds under Points I, II, and IV.

18.8. The order of the learned Single Judge is legally sound, factually well-grounded, and free from any error of law, error of jurisdiction, or perversity.

18.9. The order dated 02.04.2026 is legally sound and rests on multiple independent and mutually reinforcing grounds, each sufficient to sustain the dismissal. No error of law, error of jurisdiction, or perversity has been established.

18.10. We answer Point No.(VI) by holding that the order passed by the learned Single Judge does not suffer from any legal infirmity requiring interference at the hands of this Court.

19. Answer to Point No.(VII): What order?

19.1. Sri Dhyan Chinnappa, learned Senior Counsel submitted that the Writ Appeal ought to be allowed and the impugned order set aside; alternatively, the matter should be remanded for fresh consideration, particularly on the Rule 108-N and Rule 21 eligibility issues.



- 19.2. Dr. Archana P. Tiwari, learned Additional Advocate General submitted that the Writ Appeal deserves to be dismissed with costs, as the Appellants have maintained litigation without any legal foundation and have obstructed a lawful grant.
- 19.3. Sri J. Augustin, learned counsel submitted that the Writ Appeal is the last in a series of proceedings aimed at frustrating the Mutt's grant and should be dismissed in limine with costs.
- 19.4. The answers to Points I through VI compel dismissal of this appeal. The Writ Petition was not maintainable; the Petitioners have no valid claim to regularisation; the Mutt's grant is valid; and the learned Single Judge's order is without infirmity. Neither allowance nor remand is warranted.
- 19.5. On costs: the sustained multi-forum litigation strategy, a PIL, two civil suits (both dismissed or compromised), a Writ Petition, and this appeal, all directed at the same land and the same grant, warrants strong disapproval. This Court nonetheless declines to impose costs



given the alleged historical connection of the Petitioners' family to the religious site. The Appellants are, however, cautioned in the clearest terms that any further attempt to obstruct the Mutt's possession and enjoyment of the granted land, in the absence of any legal foundation, will be treated as abuse of the process of this Court.

- 19.6. This Point is answered by holding that the Writ Appeal is to be dismissed. Hence, we pass the following:

ORDER

- (i) Writ Appeal No.200116 of 2026 (KLR-LG) is hereby **DISMISSED**.
- (ii) The order dated 02.04.2026 passed by the learned Single Judge in W.P.No.200817/2022 is hereby **AFFIRMED**.
- (iii) The Government Order dated 24.02.2022 and the final grant order dated 28.03.2022 passed by the Deputy Commissioner, Raichur, granting land in Sy.Nos.35 and 37 of Bichali village, Gillesugur Hobli, Raichur Taluk and District, to



Sri Raghavendra Swamy Mutt shall continue to have full force and effect.

- (iv) The Appellants are cautioned that any further attempt to obstruct the Mutt's possession and enjoyment of the granted land in the absence of any legal basis shall be treated as abuse of the process of this Court.
- (v) Pending applications, if any, are disposed of.
- (vi) Learned Senior Counsel for the appellants submits that the interim order may be extended. In view of the reasons stated in the judgment, we are not inclined to extend the interim order. Hence, the oral request made by the learned Senior Counsel stands rejected.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**

**Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE**