

**Reserved on : 18.03.2026**  
**Pronounced on : 03.06.2026**

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 3<sup>RD</sup> DAY OF JUNE, 2026**

**PRESENT**

**THE HON'BLE MR. JUSTICE D K SINGH**

**AND**

**THE HON'BLE MR. JUSTICE T.M.NADAF**

**WRIT APPEAL NO. 1109 OF 2025 (KLR-RES)**

**BETWEEN:**

VENKATAGIRIYAPPA  
AGED ABOUT 61 YEARS,  
S/O. LATE CHIKKAMUNIYAPPA,  
R/AT POOJARAMANAHALLI VILLAGE,  
JIDIGENAHALLI HOBLI, HOSKOTE TALUK,  
BENGALURU RURAL DISTRICT,  
BENGALURU - 562 112

...APPELLANT

(BY SRI. PRABHUGOUDA B.TUMBIGI., ADVOCATE)

**AND:**

1. STATE OF KARNATAKA  
STATE OF KARNATAKA REP BY ITS SECRETARY  
DEPARTMENT OF REVENUE,  
M.S. BUILDING,  
BENGALURU-560 001
2. THE DEPUTY COMMISSIONER  
BEERASANDRA VILLAGE,  
KUNDANA HOBLI, DEVANAHALLI TALUK,  
BENGALURU RURAL DISTRICT,  
BENGALURU-562 110
3. THE ASSISTANT COMMISSIONER  
DODDABALLAPURA SUB-DIVISION,



DODDABALLAPURA,  
BENGALURU RURAL DISTRICT,  
BENGALURU - 561 203

4. THE TAHASILDAR  
HOSKOTE TALUK OFFICE,  
HOSKOTE TOWN,  
BENGALURU RURAL DISTRICT,  
BENGALURU - 562 114

5. SRI. PAPANNA  
AGED ABOUT 57 YEARS,  
S/O. LATE MUNISHAMAPPA,  
POOJARAMANAHALLI VILLAGE,  
JIDIGENAHALLI HOBLI, HOSKOTE TALUK,  
BENGALURU RURAL DISTRICT,  
BENGALURU - 562 112

...RESPONDENTS

(BY SRI.M.N.SUDEV HEGDE, AGA FOR R1 TO 4;  
SRI.D.R.RAVISHANKAR., SENIOR ADVOCATE FOR  
SRI.RAKESK B.BHATT, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA  
HIGH COURT ACT PRAYING TO ALLOW THE WRIT APPEAL BY  
SETTING ASIDE THE IMPUGNED ORDER DATED 04/06/2025  
PASSED BY THE LEARNED SINGLE JUDGE IN WP  
NO.22952/2024 AND CONSEQUENTLY DISMISS THE WRIT  
PETITION FILED THEREIN BY THE RESPONDENT NO.5.

THIS WRIT APPEAL HAVING BEEN HEARD AND RESERVED  
FOR JUDGMENT, COMING ON FOR PRONOUNCEMENT THIS  
DAY, JUDGMENT IS DELIVERED/ PRONOUNCED AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH  
and  
HON'BLE MR. JUSTICE T.M.NADAF

**CAV JUDGMENT**

(PER: HON'BLE MR. JUSTICE T.M.NADAF)

The present intra Court appeal is filed under Section 4 of the Karnataka High Court Act, 1961 by respondent No.5 in W.P.No.22952/2024 staking a challenge to the order passed by the Writ Court passed by the Writ Court dated 04.06.2025.

2. By the impugned order, the Writ Court allowed the Writ Petition setting aside the order passed by the second respondent in R.P.No.87/2024 dated 30.07.2024 (Annexure-A).

3. The parties are referred to as per their status and ranking before the Writ Court.

4. Facts germane to file the present appeal are as under:

4.1 The Petitioner - Papanna preferred Writ Petition in No.22952/2024 calling in question the order passed by the second respondent dated 30.07.2024 in R.P.No.87/2024 (Annexure-A) on the premise that

very same authority on the earlier occasion in R.P.No.128/2021 which was filed calling in question the order passed by the third respondent in R.A.No.137/2020 dated 02.08.2021 allowed the Revision petition and set-aside the order. As such the order now passed by the very same authority again deliberating on the very same order of the third respondent which has already been attained finality in R.P.No.128/2021 amounts to reviewing the earlier order which jurisdiction is not enjoined with the authority.

- 4.2 The case of the petitioner before the Writ Court was that his mother by name Pillamma was allotted land in Sy.No.26 to an extent of 05 Acre 31 Guntas of Poojaramanahalli Village, Hosakote Taluk. As per the original order of grant, 04 Acres of land was granted and subsequently after podi measurement and durasth, since it was found that the mother of petitioner by name Smt.Pillamma was actually in possession of 05 Acre 31 Guntas, a durasth was

made and the entire land was shown as 05 Acre 31 Guntas.

- 4.3 After demise of Smt.Pillamma, the petitioner & his sister, being the legal heirs, have sold 04 acres of land out of 05 Acres 31 Guntas in favor of one Kempanna under registered Sale deed dated 13.03.1967 retaining the balance land of 01 Acre 31 Guntas. However, said Kempanna got mutation to the entire extent of 05 Acre 31 Guntas, which is contrary to the rights of acquisition under the sale deed as contemplated under the provisions of the Karnataka Land Revenue Act, 1964. An appeal came to be filed by the petitioner before the third respondent challenging the mutation made in favor of the purchaser Kempanna with respect to entire extent of 05 Acre 31 Guntas in R.A.No.137/2020. The third respondent after considering the case and the records held that as per the Sale Deed the name of Kempanna is to be mutated only in respect of 04 Acres and so far as balance 01 Acre 31 Guntas is

concerned, directed the Revenue Authorities to enter the name of the petitioner vide order dated 02.08.2021. The said order was called in question in R.P.No.128/2021 before the second respondent.

- 4.4 The second respondent vide order dated 24.05.2022, confirmed the order passed by the third respondent and dismissed the revision. In furtherance of the order passed by respondents 2 and 3, a mutation came to be entered as per Annexure-E depicting the name of the petitioner in respect of 01 Acre 31 Guntas of land in Sy.No.26 (new Sy.No.33) of Poojaramanahalli Village, Hoskote Taluk.
- 4.5 The order passed by the second respondent on 24.05.2022 had attained finality, wherein the order passed by the third respondent had merged.
- 4.6 The fifth respondent herein along with his other relatives called in question the subsequent mutation dated 20.06.2022 entering the name of the petitioner before the Writ Court in W.P.No.13362/2022. The Writ Court on the contention of the fifth respondent

that his application seeking regularization of unauthorized cultivation in respect of land in question i.e., 01 Acre 31 Guntas is pending consideration before the concerned authority, however taking note of the fact that the order under challenge before the Writ Court was with respect to mutation entry, dismissed the Writ Petition reserving the liberty to petitioner therein to work out the remedy before the competent authority. It is in this context, the fifth respondent filed Revision Petition No.87/2024 calling in question the order passed by the third respondent in R.A.No.137/2020 dated 02.08.2021 on the premise that liberty has been granted.

4.7 Before the second respondent, the petitioner appeared and put forth a case regarding grant of 05 Acres 31 Guntas of land. However, the second respondent/ Deputy Commissioner, without considering the objections placed by the petitioner, allowed the Revision Petition and set aside the order passed by the third respondent dated 02.08.2021 in

R.A.No.137/2020 which has already attained finality and merged in the order passed by the second respondent himself in R.P.No.128/2021 dated 24.05.2022. Aggrieved by the order passed by the second respondent - Deputy Commissioner, the petitioner filed the Writ Petition calling in question the order passed by the second respondent.

4.8 Before the Writ Court, it was contented by the petitioner that the order passed by the third respondent in R.A.No.137/2020 dated 02.08.2021 has been confirmed by the second respondent in R.P.No.128/2021 (Annexure-D) and in that view of the matter, the second respondent lacks jurisdiction to pass one more order (Annexure-A) and accordingly sought interference in the order. To substantiate his contention, he has relied on the Order of this Court in W.P.No.14741/2020 dated 08.04.2024 wherein the Writ Court at paragraph No.10 has held as under:

*"10. Having regard to the said judgments of the Hon'ble Supreme Court, this Court has held*

*that it is clear that the quasi judicial authorities are not permitted to review their orders unless such powers are expressly vested in them by the statute. The provision in Section 25 only enables the revenue authorities to invoke the inherent power to make such orders as may be necessary for the ends of justice or to prevent the abuse of process of the revenue court. It was therefore held that the provisions contained in Sections 24 or 25 do not expressly provide for review of an order passed by the revenue authorities."*

4.9 In contrast, the contesting respondent No.5 - appellant herein has submitted that what was challenged in R.P.No.187/2022 was the order dated 02.08.2021 in R.A.No.137/2020 and also the order dated 01.04.2006 in RUC (A) No.77/2004-05 and therefore the present R.P filed in terms of liberty granted by this Court in W.P.No.13362/2022 as such the order passed by the second respondent does not call for any interference.

4.10 The learned Additional Government Advocate supported the order passed at Annexure-A.

4.11 The Writ Court having considered the rival submissions taking into consideration the earlier order passed by the very same authority i.e., the second respondent in R.P.No.128/2021 and further taking into consideration of the prayer sought in R.P.No.87/2024 which was extracted in Paragraph No.8 (of the impugned order), has held that the order dated 02.08.2021 in R.A.No.137/2020 which was called in question in R.P.No.128/2021 has already reached its finality in terms of Annexure-D. The second respondent has no jurisdiction to pass one more order contrary to the order passed at Annexure-D to the Writ Petition and relying on the Order in W.P.No.14741/2020 stated supra concluded that the quasi judicial authorities have no authority under the law to review their own orders unless such powers are expressly conferred by the Statute and accordingly held that the second respondent has no jurisdiction to pass one more order against the order passed by the second respondent in

R.A.No.137/2020 which is contrary to the earlier order passed at Annexure-D in R.P.No.128/2021. Accordingly, allowed the Writ Petition and set aside the order passed by the second respondent at Annexure-A. It is this order passed by the Writ Court is called in question in this appeal by the fifth respondent.

5. The fifth respondent along with appeal filed an application under Order XLI Rule 27 of CPC producing certain documents which are the order of grant in favor of mother of petitioner by name Smt.Pillamma, copy of the Sale Deed dated 13.03.1967, copy of Endorsement for having received request from the fifth respondent for regularization of 01 Acre 31 Guntas of land in Poojaramanahalli village along with T.T receipt, Mahazar, report of Revenue Inspector and copy of the order dated 01.04.2006 passed in RUC (A):77/2004-05 to contend that the mother of petitioner Smt.Pillamma has been granted only 04 Acres of land, as such they have no rights on the remaining 01 Acre 31 Guntas of land in Sy.No.26 of

Poojaramanahalli Village. His application seeking regularization of the land has been received by the revenue authority and the same is pending consideration. In view of his application is pending consideration before the concerned authority, the order passed by the Writ court comes in the way of consideration of his case by the concerned authority. As such, sought to allow the appeal and set aside the order passed by the concerned authority.

6. In contrast, Sri.D.R.Ravishankar, learned Senior Counsel assisted by Sri.Rakesh.B Bhat, learned counsel for the appellant (respondent No.5) while taking us through the objections filed to the application filed under Order XLI Rule 27 submits that though as per the original order, 04 Acres of land was granted in favor of Smt.Pillamma, but subsequently after the podi and Akar Band, it was found that she was in fact in possession of an entire extent of 05 Acres 31 Guntas of land. After notifying the same, the then Tahsildar forwarded a report to the Assistant Commissioner seeking confirmation of the extra 01 Acre 31 Guntas of land in favor of Smt.Pillamma as also in favor

of other party who was also found to be in possession of excess land in respect of other survey number. The said report forwarded by the then Assistant Commissioner to the then Deputy Commissioner, who in turn forwarded the same to the jurisdictional Divisional Commissioner. The concerned jurisdictional Divisional Commissioner having found the report stating that the parties are in fact in possession of excess land accorded permission for grant of entire extent i.e., 04 Acres + 01 Acre 31 Guntas, by means of an order dated 19.09.1964 which reads as under:

*"Sanction is accorded as recommended for the confirmation of the excess of one acre and twenty six guntas and one acre thirty one guntas in the above S.No., in favour of Sriyuths. Thimmaiah and Pillamma respectively on upset price of Rs.100/- (Rs. One hundred only) per acre subject to payment of back assessment from the time of occupation of this excess area if not already collected."*

7. In terms of the order, the mutation was entered depicting the name of Smt.Pillamma for the entire extent of 05 Acres 31 Guntas. In that view of the matter, per

learned Senior counsel the contention that the petitioner's mother Smt.Pillamma was granted only 04 Acres would not hold any water. Further, the learned Senior counsel submits that the appellant herein who is respondent No.5 in the Writ Petition filed an application under Form No.53 seeking for regularization of land in Sy.No.33 claiming 02 Acres of land in Poojaramanahalli Village with Application No.3936. The concerned Committee by its order dated 07.05.2002 rejected the application which has attained finality and nothing survives for the appellant herein to claim any right over any land that too in the land of the petitioner since there is no such application pending. Even otherwise, if any application is pending, once the entire extent of land has been granted in favor of mother of the petitioner, nothing left in the survey number for consideration of such application and accordingly, sought to dismiss the appeal.

8. This Court upon consideration of rival submissions, on 25.02.2026 directed the learned Additional Government Advocate to place on record the

status of the application in Form No.50 filed by the appellant for regularization of 01 Acre 31 Guntas of land in Sy.No.33 of Poojaramanahalli Village and listed the appeal on 18.03.2026.

9. On 18.03.2026, Sri.M.N.Sudev Hegde, learned AGA placed before us the status report with respect to application in Form No.50 by the applicant for regularization of 01 Acre 31 Guntas of land in Sy.No.33 of in Poojaramanahalli Village, Jadigenahalli Hobli, Hoskote Taluk, which reads as under:

**"STATUS REPORT WITH RESPECT TO  
APPLICATION IN FORM NO.50 FILED BY THE  
APPELLANT FOR REGULARISATION OF 1 ACRE  
31 GUNTAS OF LAND IN SURVEY NO.33 OF  
POOJARAMANAHALLI VILLAGE,  
JADIGENAHALLI HOBLI, HOSKOTE TALUK**

*I, K.S.Somashekar, S/o. V.Srinivas, aged about 42 years, working as Tahsildar, Hoskote Taluk, Bengaluru Rural District, Bengaluru, do hereby submit as follows:-*

*1. It is respectfully submitted that the Hon'ble High Court of Karnataka W.A.No.1109/2025 has directed the undersigned on 25.02.2026 to provide a status report of the application filed by the Appellant herein in Form No.50 for regularization of 1 Acre 31 Guntas of land in Survey No.33. Poojaramanahalli,*

*Jadigenahalli Hobli, Hoskote Taluk, Bengaluru Rural District.*

*2. It is respectfully submitted that the Appellant herein has not filed Form No.50 but has filed an application under Form No.53 for regularisation of 2 Acres of land in aforementioned survey number.*

*3. It is respectfully submitted that the said Form No.53 was placed before the land grant Committee on 07.05.2002. On that day, the Committee considered the application of the Appellant and rejected the same as the said lands are reserved lands belonging to the State for public use, such as tanks, cemeteries/ burial grounds, Sarkari Thopu (B-Kharab) etc.,*

*WHEREFORE, it is most respectfully prayed that this Hon'ble Court may be pleased to take the said Status Report on record, in the interest of justice and equity."*

10. As per the Status report, there is no Form No.50 filed in respect of land as contended by respondent No.5 - Appellant herein. However, an application in Form No.53 was filed in the name of respondent No.5 - appellant herein seeking regularization of 02 Acres of land in Sy.No.33. Further, the status report says that on 07.05.2002, the concerned Committee considered the

application of the appellant and rejected the same as the lands claimed are reserved lands belonging to the State for public use, such as tanks, cemeteries/burial grounds, Sarkari Thopu (B-Kharab), etc. The copy of the status report was made available to the appellant counsel.

11. To the query of the Court that whether the appellant has challenged the Order dated 07.05.2002, the Learned counsel for the appellant upon instruction is unable to substantiate anything regarding the challenge to the order stated supra. The main contention of the appellant before this Court was since he has filed application seeking for regularization of land and the same is pending consideration, the order passed by the Writ Court would come on the way of the authority to consider his application. In view of the status report, nothing survives more to consider in the present appeal.

12. We, having found that the order passed by the Writ Court, on all fours, is in accordance with the law, as it is right that the quasi-judicial authorities, particularly the revenue authorities in this case has no jurisdiction to

review its own order in the subsequent Revision Petition which has already been answered in the earlier Revision Petition filed by brother of the appellant herein i.e., Sri.Venkateshmurthy in Revision Petition No.128/2021. In that view of the matter, the appeal sans merits.

13. One more reason is that there is no proceedings pending before any of the authorities in respect of land as contented by the appellant herein, as such the appellant has no right to seek challenge to the order passed by the Writ Court. In that view of the matter, the contention that he has called in question the order passed by the Assistant Commissioner before the Deputy Commissioner in terms of liberty granted by this Court in W.P.No.13362/2022 does not hold any water. The reason being a liberty granted cannot enjoin jurisdiction to an authority which is in fact not there in the statute to review its own order as held by the Writ Court in W.P.14741/2020 dated 18.04.2024 which we have already extracted above. As such, we do not find any infirmities in the order passed by

the Writ Court. Accordingly, the appeal sans merit and is ***dismissed***.

14. In view of dismissal of appeal, pending interlocutory applications, if any, stands disposed of.

**Sd/-  
(D K SINGH)  
JUDGE**

**Sd/-  
(T.M.NADAF)  
JUDGE**

TKN