



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 8TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO.202830 OF 2025 (GM-RES)

BETWEEN:

SYED MEHBOOB KAZI
S/O SYED AMEER KAZI,
AGE: 54 YEARS, OCC: BUSINESS
R/O HOTEL APSARA, OPP. BUS STAND INDI
DIST. VIJAYAPURA-586209.

...PETITIONER

(BY SRI. SACHIN MADHUKAR MAHAJAN, ADVOCATE)

AND:

THE SUB REGISTRAR,
OFFICE OF SUB REGISTRAR, INDI
DIST. VIJAYAPURA-586209.

...RESPONDENT

(BY SRI. SHESHADRI JAISHANKAR M, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO I) ISSUE A WRIT OR ORDER OR DIRECTION IN THE NATURE OF CERTIORARI AND QUASH THE IMPUGNED ENDORSEMENT BEARING NO.U NO KA.INDI/NONDANI/2025-26, DATED 25.08.2025 ISSUED BY THE RESPONDENT VIDE ANNEXURE-H WITH A FURTHER DIRECTION TO THE RESPONDENT TO ACCEPT THE SALE DEEDS PRESENTED BY THE PETITIONER HEREIN PERTAINING THE PLOTS FORMED IN THE LAYOUT IN SY NO.399/F AND 399/22 OF INDI, AS PER THE APPROVED LAYOUT VIDE ANNEXURE-C IN ACCORDANCE OF LAW. II) ISSUE ANY OTHER





WRIT OR ORDER OR DIRECTION TO WHICH THE PETITIONER FIRM IS LEGALLY ENTITLED TO ISSUE IN THE FACTS AND CIRCUMSTANCES OF THE CASE, IN THE ENDS OF JUSTICE.

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

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

Petitioner seeks following reliefs:

"i) Issue a writ or order or direction in the nature of certiorari and quash the impugned endorsement bearing no.U No Ka.Indi/Nondani/2025-26, dated 25.08.2025 issued by the respondent vide Annexure-H with a further direction to the respondent to accept the sale deeds presented by the petitioner herein pertaining the plots formed in the layout in Sy No.399/F and 399/22 of Indi, as per the approved layout vide Annexure-C in accordance of law.

ii) Issue any other writ or order or direction to which the petitioner firm is legally entitled to issue in the facts and circumstances of the case"

2. A perusal of the material on record will indicate that the petitioner intended to sell certain plots situated in



lands bearing Survey No. 399/F and 399/22 situated at Indi, Dist. Vijayapura in favour of third parties. Meanwhile one Bhimangouda s/o Yashwantarayagouda, instituted a suit in OS No.453/2024 against the petitioner and others for declaration and permanent injunction, in which he filed an application I.A.No.I for temporary injunction restraining the petitioner and other defendants from alienating, the suit schedule B properties by way of sale, gift, mortgage, exchange, relinquishment etc. till disposal of the suit. The said application, having been contested and opposed by the petitioners and other defendants, the Trial Court has passed an order dated 02.07.2025, dismissing IA No.I filed by the aforesaid Bhimangouda. Further though the aforesaid Bhimangouda filed an appeal in MA No.6/2025 before the Appellate Court, there is no interim order passed in his favour against the petitioner restraining them from alienating, encumbering the subject property, till disposal of the suit.



3. It is the grievance of the petitioner that when he submitted representation dated 18.08.2025 requesting the respondent to register the sale deed presented for registration, the respondent has issued the issued impugned endorsement declining to register the sale deed on the ground that there is an interim order passed in OS No.453/2024 referred to supra and that the same is continued and remains in force upto 30.08.2025. In this context, it is relevant to state that the perusal of the order sheet maintained by the Trial Court in OS No.453/2024 will clearly indicate that subsequent to the aforesaid order dated 02.07.2025 passed in OS No.453/2024, there is no order of temporary injunction operating against the petitioner as wrongly/erroneously stated in the impugned communication, Annexure-H dated 25.08.2025 and the same has not been extended till the next date of hearing of the suit, which was on 30.08.2025, as erroneously mentioned in the endorsement. Therefore, the impugned



communication is contrary to law and facts, warranting interference by this Court in the present petition.

4. In the result, I pass the following:

ORDER

- i. The writ petition is ***allowed***. The impugned communication dated 25.08.2025 at Annexure-H is hereby quashed.
- ii. The respondent is directed to accept the sale deed presented by the petitioner pertaining to plots formed in layout in survey No.399/F and 399/22 of Indi, Dist. Vijayapura as per approved layout plan and proceed further in accordance with law.
- iii. It is however made clear that any sale deed that would be registered by the respondent would be subject to the final outcome of the suit.



- iv. It is made clear that any sale deed registered by the respondent during the pendency of the suit would be hit by the doctrine of *lis pendens* and Section 52 of the Transfer of Property Act, 1882 and without prejudice to the rights and contentions of the parties.

**Sd/-
(S.R.KRISHNA KUMAR)
JUDGE**

NJ
LIST NO.: 1 SL NO.: 105