

Sri.a.Devappa vs the Tahasildar

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Court : Karnataka

Decided On : Jun-30-2025

Judge : E.S.Indiresh

Appeal No. : WP/44708/2017

Appellant : Sri.a.Devappa

Respondent : The Tahasildar

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF JUNE, 2025 BEFORE THE HON'BLE
MR JUSTICE E.S.INDIRESH WRIT PETITION NO. 44708 OF 2017
(KLR-RR/SUR) BETWEEN: SRI A.DEVAPPA, PETITIONER (BY SRI
P.PRITHVI KIRAN SETTY, ADVOCATE) AND:

1. THE TAHASILDAR, MYSORE TALUK, MYSORE DISTRICT-570 005.

Digitally signed 2. THE ASST. COMMISSIONERby ANUSHA V

Court of Karnataka

3. THE DEPUTY COMMISSIONER, MYSORE DISTRICT-570 001.

4. A. JAVARAPPA,

SINCE DEAD REP BY HIS LRS, SRI RAJU, S/O LATE A. JAVARAPPA, AGED ABOUT 33 YEARS, -2- RESPONDENTS (BY SRI MANJUNATH K., HCGP FOR R1 TO R3; SRI BHARGAVA D. BHAT, ADVOCATE FOR R4) THIS W.P. IS FILED UNDER ARTICLE 226 OF THE

CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER PASSED BY THE ASSISTANT COMMISSIONER, MYSORE SUB-DIVISION, MYSORE IN RRT(A)44/2012-13 DATED 06.01.2014 VIDE ANNEXURE-A AND THE IMPUGNED ORDER OF THE DEPUTY COMMISSIONER, MYSORE DISTRICT PASSED IN REVISION PETITION NO.26/2014-15, 28.02.2017 VIDE ANNEXURE-B. THIS PETITION IS COMING ON FOR PRELIMINARY HEARING ON B-GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR JUSTICE E.S.INDIRESH

ORAL ORDER

In this writ petition, the petitioner is assailing the order

dated 06.01.2014 in RRT.(A).No.44/2012-13 at Annexure-A and order dated 28.02.2017 in Revision Petition No.26/2014-15 at Annexure-B.

2. Having taken note of the submission made by the

learned counsel appearing for the parties and the findings recorded by the respondent-authorities at Annexures-A and B would indicate that, respondent No.3 has passed an order to await the judgment and decree in O.S.No.348/2008 pending -3- consideration before the I Additional Civil Judge (Sr.Dn.), Mysuru.

3. It is submitted by the learned counsel appearing for the parties that the Trial Court has dismissed the suit by

judgment and decree dated 24.10.2016 in O.S.No.348/2008

and the same was challenged in R.A.No.916/2016 on the file of the III Additional District Judge, Mysuru. The First Appellate Court by judgment and decree dated 08.12.2017, dismissed the appeal.

4. In that view of the matter, it is imperative on the

respondent No.1 to implement the judgment and decree dated 08.12.2017 in R.A.No.916/2017 passed by the III Additional District Judge, Mysuru, and the judgment and decree dated 24.10.2016 in O.S.No.348/2008 passed by the I Additional Civil Judge (Sr.Dn.), Mysuru, in accordance with law. With these observations, the writ petition is dismissed. Sd/- (E.S.INDIRESH) JUDGE AV List No.: 1 Sl No.: 54

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