

IN THE HIGH COURT OF KARNATAKA KALABURAGI BENCH

DATED THIS THE 20TH DAY OF AUGUST, 2025

BEFORE

THE HON'BLE MS. JUSTICE JYOTI MULIMANI

WRIT PETITION NO.200981 OF 2025 (KLR-RR/SUR) BETWEEN:

SRI. JAIKUMAR
S/O LATE KAMALNABHA JOSHI,
AGE: 60 YEARS, OCC: AGRI,
R/O H. NO.1-147 KAMALA NIVAS MUKUND NAGAR,
STATION ROAD, VIJAYAPUR.
TQ. & DIST. VIJAYAPURA-585104.

...PETITIONER

(BY SRI. B. BHIMASHANKAR, ADVOCATE)

AND:

- OF KARE
- 1. THE STATE OF KARNATAKA
 REPRESENTED BY ITS SECRETARY
 DEPARTMENT OF HOME M. S. BUILDING,
 BENGALURU-560001.
- 2. THE DEPUTY COMMISSIONER, KALABURAGI-585102. TQ. & DIST. KALABURAGI.
- 3. THE ASSISTANT COMMISSIONER, KALABURAGI-585102. TQ. & DIST. KALABURAGI.
- THE TAHASILDAR, JEWARGI-585310.



TQ. JEWARGI, DIST. KALABURAGI.

...RESPONDENTS

(BY SRI. MALLIKARJUN SAHUKAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN RELIEFS.

THIS WRIT PETITION IS LISTED FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.B.Bhimashankar., counsel for the petitioner and Sri.Sheshadri Jaishankar.M., AGA for the respondents have appeared in person.

- 2. The captioned Writ Petition is filed seeking following reliefs:
 - I. To quash the endorsement dated:03.02.2025 issued by the fourth respondent vide Annexure-H.
 - II. A direction may be issued to fourth respondent for mutating the names of petitioner and other legal representatives of deceased Kamalnabha Joshi i.e., respondent No.2(a) to (f) as shown in FDP No.03/2017 dated:06.02.2023 by considering the representation dated:17.01.2023 vide Annexure-G.



Counsel for the respective parties urged several contentions. Heard the arguments and perused the Writ papers with care.

3. Suffice it to note that final decree proceedings were initiated in FDP No.03/2017 on the file of Civil Judge and JMFC, Jewargi. The FDP Court vide order dated 06.02.2023, allowed the petition. It is significant to note that one Mr. Kamalanabha Joshi died and his legal representatives came on record in FDP proceedings. Hence, the petitioner made a request to the revenue authorities to enter his name along with the legal representatives of deceased Mr.Kamalanabha Joshi in the revenue records. It is noted that the name of the deceased Mr.Kamalanabha Joshi was entered in the record of rights. Hence, the petitioner made a representation to delete the name of Mr.Kamalanabha Joshi and enter his name along with the legal representatives of deceased Mr. Kamalanabha Joshi in the revenue records. Thereafter, the revenue authorities issued an endorsement on 03.02.2025 directing the petitioner to furnish the amended Court order to delete the of name Mr.Kamalanabha Joshi and to mutate their names in the record

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of rights. The issuance of endorsement and directing the petitioner to furnish the amended Court order is untenable. It is not in dispute that Mr.Kamalanabha Joshi died and his legal representatives came on record in the FDP proceedings. Furthermore, securing of amended Court order is not required to delete the name of Mr.Kamalanabha Joshi. The action on the part of the revenue authorities is untenable.

- 4. The Writ of Certiorari is ordered. The endorsement dated:03.02.2025 issued by the fourth respondent vide Annexure-H is quashed. A direction is issued to the fourth respondent to mutate the names of the petitioner and the legal representatives of deceased Kamalnabha Joshi i.e., respondents 2(a) to (f) as shown in FDP No.03/2017 dated 06.02.2023 by considering the representation 17.01.2023 vide Annexure-G within four weeks from the receipt of certified copy of this order.
 - 5. Resultantly, the Writ Petition is **allowed**.

Sd/-(JYOTI MULIMANI) JUDGE

MRP,VNR

List No.: 1 SI No.: 65