

(2011) 11 KAR CK 0070
In the Karnataka High Court
Case No : Writ Petition No. 28581 of 2011

V. Muniswamy

APPELLANT

Vs

The Commissioner Bruhat Bangalore Mahanagara Palike,
Mission Road Bangalore-560002 and Assistant Revenue
Officer BBMP., Koramangala Sub-Division Ward No. 68/148
Bangalore-560032

RESPONDENT

Date of Decision : 02-11-2011

Acts Referred:

Citation : (2011) 11 KAR CK 0070

Hon'ble Judges : Mohan Shantanasoudar, J

Bench : Single Bench

Advocate : K. Narayana and Sri B.A. Somanna, for the Appellant; G. Nagarajulu Naidu, for the Respondent

Judgement

Hon"ble Mr. Justtce Mohan Shantanasoudar

1. Petitioner has sought for a direction to respondents to effect khatha in his name as per his application dated 2.11.2006 vide Annexure-A. According to the petitioner, he has purchased a revenue site measuring 50"x59.6" formed out of Sy. No. 12/6 of Jakkasandra Village, Koramangala, Bangalore, through a registered sale deed dated 18.3.1972 from Sri K. Muniyallappa. At the time of purchase of the said property, it was within the jurisdiction of Jakkasandra Gram Panchayat, which later came within the jurisdiction of BBMP, Ward No. 68 from the year 2006. Thereafter the petitioner has made an application as per Annexure-A, dated 2.11.2006 praying for change of khatha in his favour. However, the respondents have not effected the change of katha, Hence, this writ petition is filed.

2. Learned counsel appearing on behalf of the respondents submits that in view of the Karnataka Land Revenue (Amendment) Ordinance, 2006, and the Government Order, dated 1.12.2006, BBMP is not taking any action for change of khatha in respect of the revenue property.

Be that as it may, since the petitioner has made an application, it is open for the respondents to take action in accordance with law. If the petitioner is entitled to change of khatha, then a positive order may be passed and if the petitioner is not entitled to change of khatha, he shall be informed so by issuing an endorsement to that effect. A person who files an application for change of khatha should know where he stands. Such an application should be decided on merits and in accordance with law at an early date.

Therefore, the respondents are directed to pass appropriate orders on the application at Annexure-A, dated 2.11.2006 filed by the petitioner for change of khatha, on merits and in accordance with law.

This order shall not be understood that this Court has given any positive direction in favour of the petitioner or in favour of the respondents.

With the aforesaid observations, writ petition is disposed of.