



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

**DATED THIS THE 4<sup>TH</sup> DAY OF MARCH, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM**

**WRIT PETITION NO. 7000 OF 2026 (GM-ST/RN)**

**BETWEEN:**

1. SMT. VARALAKSHMI  
W/O. N.T. DANANJAYA,  
AGED ABOUT 55 YEARS  
NO. 48, 3RD CROSS, 5TH MAIN,  
PARVATHINAGAR,  
PEENYA SMALL SCALE INDUSTRIES  
BENGALURU - 560 058

...PETITIONER

(BY SRI. SURENDRA KUMAR N., ADVOCATE)

**AND:**

1. THE SUB REGISTRAR  
NO. 455, "MASTI ARCADE"  
50 FEET ROAD, LAGGERE MAIN ROAD,  
NEAR LAGGERE CIRCLE,  
BENGALURU - 560 058

...RESPONDENT

(BY SMT. NAVYA SHEKHAR, AGA)

THIS WP IS FILED UNDER ARTICLES 226 OF THE CONSTITUTION OF INDIA PRAYING TO (A) ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT OR DIRECTION DIRECTING THE RESPONDENT TO DELETE THE EC ENTRY DATED 27-09-2012 VIDE REGISTRATION DOCUMENT NO. PNY-1-0540-2012-13 STORED IN C.D. NO. PNYD523 DATED 27-09-2012 IN THE OFFICE OF THE SUB REGISTRAR





RAJAJINAGAR (PEENYA) IN PAGES NO. 1 TO 10 VIDE PROPERTY BEARING N. 48, WARD NO. 41, ASSESSMENT NO. 152 WITHIN THE LIMITS OF BBMP LAGGER VILLAGE YESHWANTHPUR, HOBLI, BANGALORE NORTH AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:  
CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

**ORAL ORDER**

The petitioner is seeking a mandamus against the respondent to delete the EC entry dated 27.09.2012 vide registration document No.PNY-1-0540-2012-13 and he is also seeking a cost of Rs.5,00,000/- from the respondent for dereliction of duty and unnecessarily driven the petitioner to approach this Court.

2. The petitioner contends that her husband had instituted a suit for declaration and permanent injunction in O.S. No.4094/2015 before the competent Civil Court questioning the legality of a sale deed executed in favour of defendant No.1. It is asserted that the said sale deed had been brought into existence on the strength of a General Power of Attorney (GPA) which, according to the



plaintiff, was fabricated and not executed by the true owner. After full-fledged trial, the Civil Court, by judgment and decree dated 31.10.2023, decreed the suit and categorically held that the GPA relied upon by defendant No.1 was a forged and fabricated document. Consequently, the sale deed executed on the strength of the said GPA was declared null and void and not binding on the plaintiff.

3. The petitioner submits that despite the said declaration by a competent Civil Court, the entry relating to the impugned sale deed continues to be reflected in the Encumbrance Certificate (EC) maintained in the office of the respondent-Sub-Registrar. In this regard, the petitioner submitted a representation to the respondent-Sub-Registrar requesting deletion of the entry relating to the sale deed which had already been declared void by the Civil Court. However, the respondent-Sub-Registrar, instead of acting upon the request, issued an endorsement stating that unless the petitioner furnishes a judgment



rendered by a competent Civil Court declaring the document to be invalid, the entry in the Encumbrance Certificate cannot be deleted.

4. Learned Additional Government Advocate, appearing for the respondent, sought to justify the issuance of the endorsement at Annexure-G. It was submitted that at the time when the petitioner approached the office of the Sub-Registrar seeking deletion of the entry, the petitioner had not furnished a copy of the judgment and decree passed in O.S. No.4094/2015. According to the learned AGA, in the absence of the judgment of a competent Civil Court declaring the sale deed to be null and void, the Sub-Registrar could not have taken steps to alter or delete the entry reflected in the Encumbrance Certificate. Therefore, the respondent issued the endorsement indicating that unless the petitioner produces the judgment rendered by a competent Civil Court, the request for deletion of the entry could not be considered.



5. The submission made on behalf of the respondent cannot be accepted. The material placed before this Court clearly indicates that the petitioner had submitted a representation dated 06.11.2025 before the respondent-Sub-Registrar seeking deletion of the impugned entry, and in the said representation there was a specific reference to the judgment and decree rendered in O.S. No.4094/2015. The respondent ought to have taken note of the said reference and called upon the petitioner to furnish a copy of the judgment, instead of mechanically issuing the endorsement declining to consider the request. In the present writ proceedings, the petitioner has produced a true copy of the judgment and decree passed in O.S. No.4094/2015, which unmistakably declares that the sale deed relied upon by defendant No.1 was executed on the basis of a forged GPA and therefore stands declared null and void.

6. Once a competent Civil Court has rendered such a declaration, the respondent-Sub-Registrar is duty-bound



to take cognizance of the said judgment and give effect to the same while maintaining the registration records. The continued reflection of the impugned document in the Encumbrance Certificate, despite the declaration by the Civil Court, cannot be sustained.

7. Though the conduct of the respondent–Sub-Registrar in ignoring the judgment of the Civil Court is not appreciable, learned AGA has requested this Court to take a lenient view and not to impose costs on the concerned authority. Taking note of the said submission, this Court refrains from imposing costs, but deems it appropriate to issue necessary directions. Accordingly, this Court proceeds to pass the following:

**ORDER**

- i. The writ petition stands allowed;
- ii. The present writ petition shall be treated as a representation submitted by the petitioner before the respondent–Sub-Registrar seeking



necessary correction in the registration records in light of the judgment and decree passed in O.S. No.4094/2015;

- iii. The respondent-Sub-Registrar shall take cognizance of the findings recorded and decree passed in O.S. No.4094/2015 and take necessary steps in accordance with law to reflect the effect of the said judgment in the Encumbrance Register / relevant register maintained in the office of the Sub-Registrar, including deletion of the impugned entry relating to the sale deed that has been declared null and void.

**Sd/-  
(SACHIN SHANKAR MAGADUM)  
JUDGE**