

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3674 OF 2012

PANCHAVATIGE MUTT, TOGARSI

... APPELLANT(S)

VERSUS

GRAMA PANCHAYATHI, TOGARSI

... RESPONDENT(S)

O R D E R

1. O.S. No.33 of 1998, titled analogously had been filed by the appellant-plaintiff seeking declaration and permanent injunction in respect of sy. no.70 of Togarsi, Talagunda Hobli, Shikaripura Taluk, totalling 15 acres 14 guntas. The Civil Judge(Sr.Dn.) at Sagar, by Judgment dated 20.02.2007 dismissed the suit holding that the appellant - plaintiff had failed to prove their ownership and possession over the suit schedule property.

2. The appellant-plaintiff then approached the High Court of Karnataka at Bangalore in terms of Regular First Appeal No.1598 of 2007 which was disposed of by way of Judgment dated 15.11.2010. The High Court agreed with the conclusion of the Trial Court. The case of the appellant-plaintiff was that the name of the plaintiff Sri. M. Channaveera Deshi Kendra Swamiji, who administers all the properties of the Mutt, appears in the Revenue Records and they have been paying the associated taxes regularly. This stand was rejected on account of the well settled position in law that entry in Revenue Records do not confer any title.

3. The factum of possession even though established by the Commissioner appointed by the Trial Court through their Report was not accepted by the Trial Court and the High Court too, refused to change the position.

4. As such the matter is before us. It is apparent from record that the claim of the appellant-plaintiff is sourced only from entry in the Revenue Records. There can be no dispute that the same cannot form the basis of the claim over title of any property. This position has been recognised and repeatedly reiterated by this Court. For instance, Balwant Singh vs. Daulat Singh (1997) 7 SCC 137; Suraj Bhan vs. Financial Commissioner (2007) 6 SCC 186; Bhimabai Mahadeo Kambekar vs. Arthur Import & Export Co. (2019) 3 SCC 191.

5. In that view of the matter, we find no reason to interfere with the impugned judgment and order. The civil is dismissed and the associated applications, if any, shall be disposed of.

.....J.
(SANJAY KAROL)

.....J.
(SATISH CHANDRA SHARMA)

New Delhi;
15th January, 2026

ITEM NO.111

COURT NO.11

SECTION XII-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 3674/2012

PANCHAVATIGE MUTT, TOGARSI

Appellant(s)

VERSUS

GRAMA PANCHAYATHI, TOGARSI

Respondent(s)

Date : 15-01-2026 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KAROL
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Appellant(s) : Mr. G V Chandrashekar, Sr. Adv.
Mr. N K Verma, Adv.
Ms. Apeksha D, Adv.
Ms. Anjana Chandrashekar, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. The Civil Appeal is dismissed, in terms of the signed order.
2. Pending application(s), if any, shall stand disposed of.

(KANCHAN CHOUHAN)
SENIOR PERSONAL ASSISTANT

(ANU BHALLA)
COURT MASTER (NSH)

[Signed Order is placed on the file.]