



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

WRIT PETITION NO. 38795 OF 2025 (KLR-RES)

BETWEEN:

1. SRI.NARAYANAPPA
S/O LATE GOPALIAH
AGED ABOUT 69 YEARS
2. SRI. NAGARAJAIAH
S/O GOPALIAH
AGED ABOUT 63 YEARS
BOTH ARE R/AT JAMPENAHALLI
C.N. DURGA HOBLI
KORATAGERE TALUK
TUMKUR DISTRICT - 572 129

...PETITIONERS

(BY SRI. SOMASHEKHARAIH R.P., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS SECRETARY
REVENUE DEPARTMENT
VIDHANASOUDHA
BANGALORE - 560 001
2. THE DEPUTY COMMISSIONER
TUMAKURU DISTRICT
TUMAKURU - 572 101



3. THE TAHASILDHAR
KORATAGERE TALUK
TUMAKURU DISTRICT - 572 129
4. THE DEPUTY DIRECTOR
OF LAND RECORDS
TUMAKURU DISTRICT
TUMAKURU - 572 101
5. THE ASSISTANT DIRECTOR OF LAND RECORDS
MADHUGIRI SUB-DIVISION
MADHUGIRI
TUMAKURU DISTRICT - 572 132
6. THE ASSISTANT EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT
KORATAGERE
TUMAKURU DISTRICT - 572 129
7. THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT
KORATAGERE
TUMAKURU DISTRICT - 572 129

...RESPONDENTS

(BY SRI. B.P. RADHA, AGA)

THIS WP IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS TO TAKE NECESSARY STEPS FOR ALLOTMENT OF ALTERNATE LAND IN SY. NO. 17 MEASURING 20 GUNTAS SITUATED AT JAMPENAHALLI VILLAGE, CHANNARAYANADURGA HOBLI, KORATAGERE TALUK, TUMAKURU DISTRICT BY CONSIDERING THE REPRESENTATION DATED 17-09-2024 UNDER ANNEXURE-E AND ETC.



THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL ORDER

Learned Additional Government Advocate is directed
to take notice for respondents.

2. Heard Sri Somashekeraiah R.P., learned counsel
for the petitioners.

3. This petition is filed by the petitioners seeking
the following reliefs:

*"1. Issue writ in the nature of mandamus
directing the respondents to take necessary
steps for allotment of alternate land in
Sy.No.17 measuring 20 guntas situated at
Jampenahalli Village, Channarayanadurga
Hobli, Koratagere Taluk, Tumakuru District
by considering the representation dated:
17-09-2024 under Annexure-E.*



2. *Issue direction to the respondent No.6 & 7 not to take steps for formation of road till allotting alternate land to the petitioners".*

4. It is the vehement contention of learned counsel for the petitioners that petitioners are the owners of land bearing Sy.No.19/9 measuring to an extent of 4 guntas of situated at Jampenahalli Village, Channarayanadurga Hobli, Koratagere Hobli, Tumakuru District. He submits that the RTC Extracts and Revenue records are in his name as the mutation entered in his name. This being the state of affairs, the respondent No.4/ Deputy Director of Land Records, Tumakuru District conducted a survey and a sub-survey number has been assigned for the property of the petitioners. The PWD Department is making hectic efforts of formation of the road in the land belonging to the petitioners by encroaching 4 guntas of land. In view of the above, the petitioners submitted a representation dated 17.09.2024, which has not been considered by the respondents.



Without doing so, the respondent No.7/PWD Department all of a sudden on 20.12.2025 came along with JCB at 10.00 a.m. and started attempting to form a road in the land belonging to the petitioners without acquiring or issuing any notice, or by following due process of law or by payment of compensation. Therefore, he contends that the action of the respondents is illegal, arbitrary, violative of the principles of natural justice so also Article 300(A) of the Constitution of India. Hence, petitioners are before this Court.

5. Per contra, learned Additional Government Advocate contends that the petitioners have not placed any material to show his ownership over the land in question. However, a representation so made on 17.09.2024 shall be considered in accordance with law.

6. Having heard learned counsel for the petitioners and learned Additional Government Advocate for the respondents, this Court deems it appropriate to direct the



respondents to consider the representation of the petitioners dated 17.09.2024 and in case, they want to utilise the land of the petitioners, if so, proved by the petitioners by placing sufficient material, they shall do so in accordance with law. And if no materials are placed by the petitioners to show the land belongs to him, the respondents would be at liberty nevertheless to proceed in accordance with law expeditiously, by following the necessary procedures as contemplated in law.

Ordered accordingly.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

PSJ
List No.: 1 Sl No.: 25