



CNR: KAHC010029332024

NC: 2026:KHC:51436
WP No. 2594 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 2594 OF 2024 (SC/ST)

BETWEEN:

SRI M CHANDRASHEKAR,
S/O MUNIYAPPA
AGED ABOUT 70 YEARS,
R/AT GUARDACHARI PALYA,
MAHADEVAPURA POST
BENGALURU-560 048.

...PETITIONER

(BY SRI. BHADRINATH R., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
REVENUE DEPARTMENT,
M.S. BUILDING
BENGALURU-560 001.
2. THE DEPUTY COMMISSIONER
BENGALURU NORTH DISTRICT
BENGALURU-560 009.
3. THE ASSISTANT COMMISSIONER
BENGALURU NORTH SUB DIVISION
BENGALURU-560 009.
4. SMT SALLAPURAMMA
W/O LATE MUNIPOOJAPPA
AGED ABOUT 81 YEARS,



CNR: KAHC010029332024

NC: 2026:KHC:51436
WP No. 2594 of 2024

SRI CHIKKA NARASIMHAIAH
(SINCE DECEASED BY LRS)

5. SMT. ASHA
W/O LATE CHIKKANARASIMHAIAH
AGED ABOUT 53 YEARS,
6. SRI PRADEEPKUMAR N
S/O LATE CHIKKANARASIMHAIAH
AGED ABOUT 38 YEARS,
7. SRI DILIP N
S/O LATE CHIKKANARASIMHAIAH
AGED ABOUT 35 YEARS,
8. SRI KRISHNAPPA
S/O LATE MUNIPOOJAPPA
AGED ABOUT 48 YEARS,
9. SRI MUNIRAJAPPA
S/O LATE MUNIPOOJAPPA
AGED ABOUT 43 YEARS,
RESPONDENTS NO.4 TO 9 ARE
R/AT DODDABANAHALLI
BIDARAHALLI HOBLI,
KANNAMANAGALA POST,
BENGALURU EAST TALUK
BENGALURU-560 067.

...RESPONDENTS

(BY SMT. SAVITHRAMMA , AGA FOR R1 TO R3(PH);
SRI. SHANKAR M. NAIK, ADVOCATE FOR
C/R4 TO C/R9 - ABSENT)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.



CNR: KAHC010029332024

NC: 2026:KHC:51436
WP No. 2594 of 2024

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

ORAL ORDER

Sri. Bhadrinath R., counsel for the petitioner, and Smt. Savithramma, Additional Government Advocate for respondent Nos. 1 to 3, appeared in person.

There is no representation on behalf of respondents Nos. 4 to 9.

2. The orders of the Assistant Commissioner and the Deputy Commissioner are called into question on several grounds, as set out in the memorandum of the writ petition.

3. Counsel for the respective parties urged several contentions.

Sri. Bhadrinath R., representing the petitioner, argued that the suo motu proceedings began under the PTCL Act and were concluded with the order dated



CNR: KAHC010029332024

09.07.2002. This decision was challenged before the Deputy Commissioner, who also closed the appeal by issuing an endorsement. He maintained that these proceedings had reached finality, so filing another application in 2009 was unnecessary. Additionally, he pointed out that the property had been sold in 2000, and the resumption application was only filed again in 2009, indicating laches. He argued that the Assistant and Deputy Commissioners overlooked this lapse and mistakenly ordered resumption. He requested the petition be allowed on these grounds.

The Additional Government Advocate argues that the violation of the Act's provisions justifies resumption proceedings. She also claims the petition lacks merit and should be dismissed, citing additional grounds.

4. Heard the arguments and perused the papers with care.



CNR: KAHC010029332024

5. The issue is confined to a narrow scope, focusing on the initiation of resumption proceedings for the second time in 2009. The property in question is old Survey No.3, now known as Survey No.3/P2, granted to Sri Munipoojappa alias Muddappa in 1978. The property was alienated in 2000. Suo motu proceedings were initiated but were closed in 2002, with the Deputy Commissioner also ending the process through an endorsement.

In 2009, another request for land resumption was filed under the PTCL Act, claiming a violation of the Act's provisions. This Court holds that this second application was not maintainable. The reasons are clear: the initial proceedings had been dropped, so initiating proceedings again was unjustified. Additionally, the land had been sold in 2000, and the second resumption request was filed only in 2009. This indicates a lapse of time on the part of the grantee in pursuing the resumption.



CNR: KAHC010029332024

**NC: 2026:KHC:51436
WP No. 2594 of 2024**

The Division Bench in W.A.No.1035/2025 clarified that laches should be regarded as the primary requirement when resuming lands. It also held that if restoration action is filed after a significant delay, it could be barred by laches.

In the facts and circumstances of the case, this Court is of the considered view that the orders passed by the Assistant Commissioner and confirmed by the Deputy Commissioner, directing resumption of the subject land, cannot be legally sustained. Accordingly, the impugned orders are liable to be set aside.

6. For the foregoing reasons, the orders of the Assistant Commissioner and the Deputy Commissioner are liable to be set aside.

7. The writ of certiorari is ordered. The order dated 07.02.2020 passed by the Assistant Commissioner vide Annexure-J, and the order dated 02.11.2023 passed by the Deputy Commissioner vide Annexure-A are



CNR: KAHC010029332024

quashed. As the Court has set aside the orders of the Assistant Commissioner and Deputy Commissioner, the revenue authorities are directed to restore the name of the petitioner in the revenue records pertaining to the land.

8. Resultantly, the writ petition is ***allowed***.

On disposal of the Writ Petition, any interim order stands discharged, and any pending interlocutory applications, if any, are disposed of.

**Sd/-
(JYOTI M)
JUDGE**

SS

List No.: 1 Sl No.: 12