



CNR: KAHC010041312026

NC: 2026:KHC:55422
WP No. 2078 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO.2078 OF 2026 (SC/ST)

BETWEEN:

1. SMT. MARAKKA
W/O LATE MUNISHYAMAPPA
AGED ABOUT 85 YEARS
R/AT KONAGHATTA VILLAGE,
KASABA HOBLI,
DODDABALLAPURA TALUK,
BANGALORE RURAL DISTRICT-561 203.

...PETITIONER

(BY SRI. R. SRINIVASA GOWDA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF REVENUE,
M.S. BUILDING
BENGALURU-560 001
REP. BY THE PRINCIPAL SECRETARY.
2. THE DEPUTY COMMISSIONER
BANGALORE RURAL DISTRICT
ADMINISTRATIVE OFFICE
BANGALORE RURAL DISTRICT
BANGALORE-562 110.
3. THE ASSISTANT COMMISSIONER
DODDABALLAPURA SUB-DIVISION,
DODDABALLAPURA
BANGALORE RURAL DISTRICT-561 203.



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4. THE TAHSILDAR
DODDABALLAPURA TALUK,
BANGALORE RURAL DISTRICT-561 203.
5. SMT. SAROJAMMA
D/O LATE MUNIVENKATAPPA
W/O LATE NAGARAJU
AGED MAJOR
R/AT HULEBELLE VILLAGE,
CHILAKALANERAPU HOBLI,
CHINTAMANI TALUK,
CHIKKABALLAPURA DISTRICT-563 125.
6. SRI. RAJANNA
S/O LATE VENKATAPPA
AGED MAJOR
R/AT KONAGHATTA, KASABA HOBLI,
DODDABALLAPUR TALUK
BANGALORE RURAL DISTRICT-561 203.
7. THE SPECIAL LAND ACQUISITION OFFICER
KARNATAKA INDUSTRIAL AREA
DEVELOPMENT AUTHORITY
NO.14/3, C F C BUILDING
MAHARSHI ARAVINDA BHAVANA,
1ST FLOOR, NRUPATHUNGA ROAD
BANGALORE-560 001.

...RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA., FOR R.1 TO R.4;
SRI. MUNIGANGAPPA M., ADVOCATE FOR R.5;
SRI. VASANTHAKUMAR A., ADVOCATE FOR R.6;
SRI. H.N. VASUDEVAN, ADVOCATE FOR R.7.)

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



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

ORAL ORDER

Sri.R.Srinivasa Gowda, counsel for the petitioner, Smt.Savithramma, Additional Government Advocate for respondent Nos.1 to 4, Sri.Munigangappa M., counsel for respondent No.5; Sri.Vasantha Kumar A., counsel for respondent No.6 and Sri.H.N.Vasudevan., counsel for respondent No.7 appeared in person.

2. The petition is filed seeking a writ of certiorari to quash the order dated 31.12.2025 passed by the Deputy Commissioner vide Annexure-E. This order is challenged in this writ petition on several grounds as set out in the memorandum of the writ petition.

3. Counsel for the respective parties advanced several contentions.

Counsel appearing for the petitioner submits that the family of the grantee had alienated the subject property under a registered sale deed in 2003. However, the proceedings for resumption were initiated only in 2014, after a lapse of nearly



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eleven years. He submits that the Assistant Commissioner was justified in rejecting the claim, but the Deputy Commissioner, in appeal, erroneously interfered with and set aside the said order. On these and other grounds, counsel seeks quashing of the order passed by the Deputy Commissioner.

Per contra, counsel appearing for respondent No.5 submits that two suits are pending before the Trial Court concerning the title to the subject land as well as the validity of the grant.

Counsel appearing for respondent Nos.5 and 6 jointly submits that the subject land has been acquired by the KIADB and that the matter now remains pending only with regard to disbursement of the compensation amount. On these and other grounds, they submit that the writ petition is devoid of merit and is liable to be dismissed.

Counsel appearing for respondent No.7 submits that an appropriate order may be passed.

4. The Court heard the arguments and carefully perused the papers.



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5. The issue involved in the present writ petition lies within a narrow compass and relates to the initiation of resumption proceedings by a member of the family of the grantee after a lapse of nearly eleven years.

Suffice it to note that the subject land was granted in 1979 and that the family of the grantee alienated the property under a registered sale deed in 2003. However, the applicant, Smt.Sarojamma, claiming to be a member of the family of the grantee, initiated resumption proceedings only in 2014, after a lapse of nearly eleven years.

The Assistant Commissioner, taking note of the considerable delay and laches on the part of the applicant, rightly rejected the claim for resumption. However, in appeal, the Deputy Commissioner failed to take into consideration the delay in initiating the proceedings and erroneously set aside the order passed by the Assistant Commissioner.

The Division Bench clarified that laches should be regarded as the primary requirement when resuming lands. It



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also held that if restoration action is filed after a significant delay, it could be barred by laches.

In the present case, the claim for resumption was initiated by a member of the family of the grantee after an unexplained lapse of nearly eleven years from the date of alienation. The delay in approaching the competent authority assumes significance and, in the facts and circumstances of the present case, disentitles the applicant from seeking resumption of the subject land.

The contentions relating to the pendency of suits concerning the title to the subject land and the validity of the grant, as well as the subsequent acquisition of the land and disbursement of compensation, involve disputed questions of fact and issues which are beyond the scope of the present writ proceedings. Such questions cannot appropriately be adjudicated in exercise of the writ jurisdiction of this Court.

In view of the foregoing discussion and having regard to the delay and laches in initiating the resumption proceedings, this Court is of the considered view that the order passed by



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the Deputy Commissioner directing resumption of the subject land cannot be legally sustained. Accordingly, the impugned order passed by the Deputy Commissioner is liable to be set aside.

6. The writ of certiorari is ordered. The order dated 31.12.2025 passed by the Deputy Commissioner vide Annexure-E is quashed. As this Court has quashed the order, the authority concerned is hereby directed to restore the petitioner's name in the subject land in the revenue records.

7. 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.: 62