



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 2030 OF 2026 (KLR-RES)

BETWEEN:

SRI N PILLAPPA
S/O LATE NAGAPPA
AGED ABOUT 75 YEARS
R/A CHEEMASANDRA
BIDARAHALLI HOBLI,
BENGALURU EAST TALUK,
BENGALURU-560049

OLD ADDRESS
GARUDACHARPALYA,
BEHIND MAHADEVPURA BBMP OFFICE,
MAHADEVPURA POST,
BENGALURU 560048.

...PETITIONER

Digitally signed
by JUANITA
THEJESWINI

Location: HIGH
COURT OF
KARNATAKA

(BY SRI. ARUNA SHYAM.M., SR. COUNSEL FOR
SRI. SUYOG HERELE E., ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER
BENGALURU URBAN
KEMPEGOWDA ROAD,
BEHIND KANDAYA BHAVANA,
BENGALURU URBAN DISTRICT-560009.
2. THE THASHILDAR
BENGALURU EAST TALUK,
KR PURAM SIVAS RD,
BOMMENAHALLI, BENGALURU,



KARNATAKA-560049

...RESPONDENTS

(BY SRI.SHAMANTH NAIK., HCGP)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED NOTICE IN TBET-LND0B2/6/2026-LNDB2- TAH BET DATED 02-01-2026 ISSUED BY RESPONDENT NO.2 AND ALL FURTHER PROCEEDINGS PURSUANT THERETO (PRODUCED AT ANNEXURE-A) AND DIRECTING THE RESPONDENTS NO TO DISTURB/INTERFERE WITH THE PETITIONERS PEACEFUL POSSESSION AND ENJOYMENT OF THE LAND IN SY NO.77/P1, EXCEPT FOLLOWING DUE PROCESS OF LAW, IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

On the previous date of hearing, the following order was passed:

"Learned High Court Government Pleader takes notice for both the respondents.



Learned counsel for the petitioner is directed to serve copies of the petition along with annexures on the learned High Court Government Pleader.

Learned Senior Counsel Sri.Aruna Shyam, appearing for the petitioner submits that Annexure-C is the RTC of the year 2001-2002, which reflects the name of the petitioner as the owner of the property and khatedar in respect of 2 acres of land in Survey No.77/P1 situated at the Cheemasandra Village, Bidarahalli Hobli, Bangalore East Taluk. However, respondent No.2-Tahsildar, who has no authority in law to take action, has issued the impugned notice dated 02.01.2026, taking a unilateral decision that the petitioner has encroached upon lands in Survey No. 77, which is a gomal land. Learned Senior Counsel draws the attention of this Court to Annexure-L, where the fencing and other structures put up by the petitioner are being removed with the help of a JCB. Learned Senior Counsel submits that no opportunity of hearing was given to the petitioner before such an action could be taken by the Tahsildar, who is not the competent authority to take such an action.

Consequently, there shall be an interim order of stay of all further proceedings pursuant to the



impugned notice at Annexure-A, till the next date of hearing.

Re-list this matter on 11.02.2026 to enable the learned High Court Government Pleader to keep respondent No.2-Tahsildar, Bangalore East Taluk, to be present before this Court along with all the information showing the action taken by the Tahsildar before proceeding to remove the structures."

2. The respondent-Tahsildar-Bengaluru East Taluk, is today present before the court. The Tahsildar apologises for the action taken by him and submits that if at all action is to be taken, he will take it only in accordance with law after issuing notice to the petitioner and affording an opportunity of hearing.

3. Placing the undertaking given by the Tahsildar before this Court, the writ petition stands ***disposed of*** with a specific direction to the Tahsildar not to indulge in this kind of highhanded activity which would be opposed to the settled principles of law, mainly that any action



without affording an opportunity of hearing, would be held as one against the principles of natural justice.

4. If at all the Tahsildar seeks to take action and if the Tahsildar is empowered in law, the Tahsildar may issue notice to the petitioner and take action only in accordance with law. The impugned notice dated 02.01.2026 at Annexure 'A' issued by the respondent-Tahsildar, Bengaluru East Taluk, is hereby quashed and set aside.

Ordered accordingly.

Sd/-
(R DEVDAS)
JUDGE

JT/-
CT: JL