



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 2926 OF 2026 (KLR-RES)

BETWEEN:

K PARSHWANATH INDDRA
SON OF K.SHANTHI RAJENDRA
AGED ABOUT 79 YEARS.
NO.348(1), SUVIDHA HOUSE,
NAGARKATE ROAD, MOODBIDRI,
SOUTH CAANRA

...PETITIONER

(BY SRI. E.I.SANMATHI., ADVOCATE)

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Location: HIGH
COURT OF
KARNATAKA

AND:

1. THASILDHAR
TALUK OFFICE,
MOODBIDRE TALUK-574 227
DAKSHINA KANNADA DISTRICT,
2. STATE OF KARANTAKA.
DEPARTMENT OF REVENUE,
M.S.BUILDING,



B.R.AMBEDKAR VEEDHI
BANGALORE-560 001
BY ITS PRINCIPLE SECRETARY

3. THE DEPUTY COMMISSIONER
HUBLI ROAD, NEAR CANARA BANK,
BUNDER, MANGALURU,
DAKSHINA KANNADA DISTRICT
MANGALORE-575 001

4. TOWN MUNICIPAL COUNCIL
MOODBIDRI TOWN, MOODBIDRE-574227
BY ITS SECRETARY

...RESPONDENTS

(BY SRI. SHAMANTH NAIK, HCGP FOR R1 TO R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE IMPUGNED NOTICE ISSUED BY THASILDHAR, MOODBIDRE TALUK-FIRST RESPONDENT BEARING NO.TOMDB-REVOINDP/33/2021/132942 DATED 5/1/2025 AND PRODUCED HERewith AS ANNEXURE-A AND TO PERMANENTLY TO RESTRAIN THE RESPONDENTS FROM CARRYING OUT ANY ACTIVITY IN MARPADI VILLAGE SURVEY NO.192 MEASURING 3.5. ACRES.

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



CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

1. Learned High Court Government Pleader takes notice for respondent Nos.1 to 3. Notice to respondent No.4 is not necessary for the following reasons.
2. The petitioner is aggrieved by the impugned notice dated 05.01.2026 which is wrongly mentioned as '05.01.2025'. It is the contention of the learned counsel for the petitioner that the petitioner is enjoying *kumki* rights in respect of land in question i.e., 3.5 acres in Sy.No.192 of Marpadi Village, Moodbidre Taluk, Dakshina Kannada District and the impugned notice has been issued by the Tahsildar stating that the land in question is required for the purpose of establishing KSRTC bus depot and therefore, the petitioner is called upon to furnish any documents and appear before the Tahsildar on 12.01.2026.
3. Learned High Court Government Pleader submits that when the Competent Authority has issued a notice, the petitioner will have to appear before the Competent Authority along with requisite documents and if any adverse orders are passed, the petitioner will get a cause of action to question the



same before the Competent Authority. At this juncture, it is not permissible for the petitioner to challenge the impugned notice issued by the Competent Authority.

4. There is substance in the submission made by the learned High Court Government Pleader. The petitioner is required to appear before the Tahsildar along with all requisite documents and raise his objections. If such objections are raised, the Tahsildar is duty bound to consider the same and take action in accordance with law. If the petitioner is claiming that he has *kumki* rights over the land in question, then if the Tahsildar on verification finds that the petitioner is enjoying *kumki* rights, if at all available for the petitioner, the Tahsildar cannot evict the petitioner.

5. With the above observations, the writ petition stands ***disposed of*** with a specific direction to the respondent - Tahsildar, Moodbidre Taluk, to consider the objections and the documents submitted by the petitioner and thereafter take action in accordance with law. If the petitioner seeks to file additional documents, he shall be permitted to file the same.



**NC: 2026:KHC:9511
WP No. 2926 of 2026**

Learned High Court Government Pleader is permitted to file a memo of appearance within a period of four weeks from today.

**SD/-
(R DEVDAS)
JUDGE**

PKS/List No.: 1 SI No.: 14