



CNR: KAHC010064912023

NC: 2026:KHC:52647  
WP No. 2804 of 2023

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 23<sup>RD</sup> DAY OF SEPTEMBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE E.S.INDIRESH**

**WRIT PETITION NO. 2804 OF 2023 (KLR-LG)**

**BETWEEN:**

MAHADEVAPPA,  
S/O LINGAPPA,  
AGED ABOUT 58 YEARS,  
R/AT NO.4 MYDANAHALLI POST,  
YELWALA HOBLI,  
MEGALAPURA,  
MYSORE - 571 130.

...PETITIONER

(BY SRI. CHANDRASHEKAR P V., ADVOCATE)

**AND:**

1. STATE OF KARNATAKA,  
REVENUE DEPARTMENT  
5<sup>TH</sup> FLOOR, M.S. BUILDING,  
DR AMBEDKAR ROAD,  
BANGALORE - 560 001.  
REP BY ITS PRINCIPAL SECRETARY.
2. DEPUTY COMMISSIONER,  
MYSORE DISTRICT,  
MYSORE - 560 001.
3. THE ASSISTANT COMMISSIONER,  
MYSORE SUB-DIVISION,  
MYSORE - 570 001.

Digitally  
signed by  
REKHA R  
Location:  
High Court  
of Karnataka



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4. THE TAHSILDAR,  
MYSORE TALUK,  
MYSORE - 570 001.
  
5. THE COMMISSIONER FOR REGULARIZATION OF  
UNAUTHORIZED OCCUPATION OF LANDS,  
(CHAMUNDESHWARI ASSEMBLY CONSTITUENCY)  
MYSORE TALUK,  
MYSORE - 570 001.  
REPRESENTED BY  
TAHSILDAR CUM SECRETARY

...RESPONDENTS

(BY SRI. SHAMANTH NAIK, AGA FOR R1 TO R5)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE IMPUGNED ENDORSEMENT DATED:08/07/2022, VIDE NO. MYSDC-LND1/LG/139/2022 E-186405 ISSUED BY R-2, ANNEXURE-A AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

**ORAL ORDER**

In this writ petition, petitioner is assailing the Endorsement dated 08.07.2022 (Annexure-A) issued by respondent No.2.



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2. The relevant facts for adjudication of this petition are that the petitioner claims to be in possession and cultivation of the land bearing Sy.No.28/5 measuring 1 Acre 17 guntas at Megalapura Village, Illwala Hobli, Mysore Taluk and also stated that the petitioner was in unauthorised cultivation of the land bearing Sy.No.15 to an extent of 30 guntas at Megalapura Village, Illwala Hobli, Mysore Taluk.

3. The petitioner has made an application in Form No.57 seeking, regularization of unauthorised occupation of the land in question and in this regard, the petitioner has stated that, the adjacent land owner's application has been considered by the respondent-authorities, however, the respondent-authorities have issued impugned Endorsement stating that the land in question situate within 10 kilometres from the Mysore city Corporation and therefore, the impugned Endorsement dated 08.07.2022 at Annexure-A passed by respondent No.2 is challenged in this petition.



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4. Sri. Chandrashekar P.V, learned counsel appearing for the petitioner, refers to the Letter dated 11.03.2025 (Annexure-B1), wherein, the Assistant Executive Engineer, PWD, Mysore, has given an endorsement stating that the Megalapura Village is situated at 17 kilometres from the Mysore (Sub-Urban) and further, he contended that by referring to Annexure-C that the neighbouring land owner has made a similar application to respondent No.5-Committee, and respondent No.5-Committee has granted an extent of 1.04 Acres of land in Sy.No.18 of Megalapura Village, however, the similar benefit has been denied to the petitioner and accordingly, sought for interference of this Court.

5. Per contra, learned Additional Government Advocate sought to justify the impugned Endorsement and submitted that, the land in question is situated within 10 kilometres from the limits of Mysore City and therefore, sought for dismissal of the petition.



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6. In the light of the submission made by the learned counsel appearing for the parties and on careful consideration of the impugned endorsement at Annexure-A would indicate that respondent No.2 has stated that the land bearing Sy.No.15 of Megalapura Village of Mysore Taluk is situated within 10 kilometres from the limits of the Mysore City Corporation. In this regard, on careful consideration of the Letter dated 11.03.2025 at Annexure-B1 issued by the Assistant Executive Engineer, PWD, would indicate that the Megalapura Village is situate beyond 17 kilometres, from city of Mysore. That apart, respondent No.5 has granted land bearing Sy.No.18, to an extent of 1.04 acres in Megalapura Village to one H.B.Mahadevu as per Annexure-C by its Resolution dated 29.01.2018.

7. It is also stated that the grant made in favour of said H.P. Mahadevu, has been accepted and the Saguvali Chit has been issued accordingly. RTC has been



issued in respect of the land bearing Survey No.18 of Megalapura Village of Mysore Taluk, to the said grantee.

8. In that view of the matter, the respondents cannot discriminate as to the allotment of the land in question, as the petitioner is claiming that he is in cultivation of the land for more than 4 decades.

9. In that view of the matter, I pass the following:

**ORDER**

- i) Writ petition is ***allowed***.
- ii) Impugned Endorsement dated 08.07.2022 (Annexure-A) passed by respondent No.2 is accordingly set aside.
- iii) Respondent No.4 is directed to enter the name of the petitioner in RTC in respect of the land in question, within two months from the date of receipt of copy of this order.



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- iv) Respondent No.5 is directed to pass appropriate orders in consonance with the Resolution dated 29.01.2018 at Annexure-C in favour of the petitioner in respect of the land in question.

**Sd/-  
(E.S.INDIRESH)  
JUDGE**

PK  
List No.: 1 Sl No.: 19