



CNR: KAHC010065542025

NC: 2026:KHC:53705
WP No. 4056 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 4056 OF 2025 (SC/ST)

BETWEEN:

1. SMT. CHINTHALA KRISHNAVENI
W/O LATE. C. VENKATARAJU,
AGED ABOUT 71 YEARS,
R/AT NO.16, 2ND MODEL HOUSE STREET,
BASAVANAGUDI, BENGALURU - 560 004.
2. SRI. CHINTHALA RAVIKIRAN
S/O LATE. C. VENKATARAJU
AGED ABOUT 47 YEARS,
R/AT NO.14, 2ND MODEL HOUSE STREET,
BASAVANAGUDI, BENGALURU - 560 004.
3. SMT. NAGAJYOTHI
D/O LATE. C. VENKATARAJU
AGED ABOUT 45 YEARS,
R/AT NO.6/2, KRISHNA ROAD,
BEHIND POST OFFICE,
BASAVANAGUDI, BENGALURU - 560 004.
4. SRI. RAJESH CHINTHALA
S/O LATE. C. VENKATARAJU
AGED ABOUT 43 YEARS,
R/AT NO.16, 2ND MODEL HOUSE STREET,
BASAVANAGUDI, BENGALURU - 560 004.

...PETITIONERS

(BY SRI. VINAYA H., ADVOCATE FOR
SRI. RAVINDRA PRASAD B., ADVOCATE)



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AND:

1. THE DEPUTY COMMISSIONER
RAMANAGARA DISTRICT,
RAMANAGARA - 562 159.
2. THE ASSISTANT COMMISSIONER
THE SUB DIVISIONAL OFFICE,
RAMANAGARA SUB-DIVISION,
RAMANAGARA - 562 159.
3. SRI. SIDDARACHAPPA
S/O SRI. THIMMAIAH
AGE: MAJOR,
R/AT HARJANA COLONY,
SHESHAGIRI VILLAGE,
BIDADI HOBLI, RAMANAGARA
TALUK AND DISTRICT - 562 159.

...RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 AND R2;
V/O DATED: 28.09.2026 WP AGAINST R3 ABATES)

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

THIS WRIT PETITION IS LISTED FOR ORDERS, THIS DAY,
AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.Vinaya H., counsel for Sri.Ravindra Prasad B., for
petitioners appeared through video conferencing and
Smt.Savithramma, Additional Government Advocate for
respondent Nos.1 and 2 appeared in person.



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Counsel for the petitioners seeks time to do the needful in respect of respondent No.3. This Court is not inclined to grant time. The reason is apparent. The postal shara has been received a year ago on 25.08.2025 noting that respondent No.3 is no more and it is almost a year, steps are not taken. Hence, petition against respondent No.3 abates. The Court proceeds to pass orders on the merits of the case.

2. The petition is filed seeking a writ of certiorari to quash the orders passed by the Assistant Commissioner and the Deputy Commissioner. These orders are 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.

AGA submits that as there was a violation of provisions of PTCL Act, the resumption is justified. Urging additional grounds, it is submitted that the petition lacks merit and the same may be dismissed.



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

5. This issue is limited to resumption proceedings. The land in question was granted to one Sri.Thimmaiah, in 1978 and grantee's family dealt with the property in 1995.

Nearly 13 years after the sale, in 2008, resumption proceedings were initiated before the Assistant Commissioner, seeking resumption of the land. The Assistant Commissioner approved the petition and ordered the land to be resumed. Dissatisfied, the petitioner appealed to the Deputy Commissioner, who upheld the original order. However, both the Assistant and Deputy Commissioners overlooked the nearly 13-year delay in initiating these proceedings. They failed to consider the issue of laches or the petitioner's claim that the proceedings were commenced after an unreasonable delay.

The authorities should have evaluated whether to proceed after nearly 13 years, especially since the rights in the land were settled by the sale deed in 1995. The oversight in considering the delay and laches led to orders for land



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resumption being issued without adequately addressing a crucial and relevant issue.

The Division Bench 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 23.12.2009 passed by the Assistant Commissioner vide Annexure-E, and the order dated 11.01.2024 passed by the Deputy Commissioner vide Annexure-G are quashed. As this



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Court has quashed the orders, the authority concerned is hereby directed to restore the petitioner's name in the subject land in the revenue records.

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.: 11