



CNR: KAHC010091652026

NC: 2026:KHC:55997
WP No. 4050 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 4050 OF 2026 (GM-RES)

BETWEEN:

1. CHAITHRA CHIDAMBARAIAH
D/O B.M. CHIDAMBARAIAH
AGED ABOUT 49 YEARS
MADILU NO. 466, 1ST CROSS,
2ND STAGE, AMS LAYOUT,
VIDYARANYAPURA 560 097

...PETITIONER

(BY SRI. MALLIKARJUNAIAH K S.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REVENUE DEPARTMENT,
VIDHANASOUDHA AMBEDKAR VEEDHI,
BENGALURU-560 001.
REPRESENTED BY ITS PRINCIPAL SECRETARY
2. THE TAHASILDAR,
TUMAKURU TALUK,
TUMKUR -572101
3. RANGE FOREST OFFICER
RANGE FOREST OFFICE
TUMKUR RANGE TUMKUR - 572101

...RESPONDENTS

(BY SRI. RAHUL CARIAPPA K S, AGA)





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THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF MANDAMUS OR ORDER OR DIRECTION DIRECTING THE RESPONDENTS AUTHORITIES TO CONSIDER AND PASS AN ORDER AND NOT TO STOP THE APPROACH ROAD ALREADY IN EXISTENCE AND PETITIONERS MAY NOT BE DISTURBED IN USING THE SAME APPROACH ROAD WHICH IS CONNECTING THE PETITIONER LAND FROM PAST 68 YEARS OR ELSE TO FORM A NEW ROAD AS PER THE SKETCH PREPARED BY THE TAHASILDAR (VILLAGE MAP).

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

1. The present writ petition is filed seeking for the following reliefs:

"a) Issue a writ in the nature of mandamus or order or direction directing the Respondents authorities consider and pass an order and not to stop the approach road already in existence and petitioners may not be disturbed in using the same approach road which is connecting the petitioner land from past 68 years or else to form a new road as per the sketch prepared by the Tahasildar (Village Map)

b) Grant any such other relief or relief's as this Hon'ble Court deems fit to grant in the facts and circumstances of the cases in the interest of justice and equity."

Digitally Signed by CHEPPUDIRA
MONNAPPA POONACHA



2. It is the case of the petitioner that she is the absolute owner of an extent of 21 acres and 38 guntas of land in Sy. Nos.2, 3 and 8 situated at Devarayanadurga, Huddigere Hobli, Tumakuru Taluk, Tumakuru¹ which was granted in the year 1969 to the predecessor of the petitioner. The petitioner subsequently having acquired right, title and interest over the subject property has been using the same by accessing the subject property through an existing road. That the petitioner and the predecessors of the petitioner have been using the said road for more than 60 years. That about 500 meters of the road is within the forest area and the remaining is a public road. Alleging that the officials of the Forest Department have blocked the access of the petitioner through the access road, the present writ petition is filed.

3. This Court vide interim order dated 25.02.2026 ordered as under:

"Mr. K. S. Mallikarjunaiah, the learned counsel for the petitioner, submits that [a] the access to the petitioner's estate is through a 500 metres stretch road that runs inside Devarayanadurga Forest Area and that this has

¹ Hereinafter referred to as 'the subject property'



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WP No. 4050 of 2026

been the only access to the petitioner's property for decades, [b] this is also ascertained by the jurisdictional Tahsildhar after a survey and communicated to the third respondent, and [c] notwithstanding this communication and the petitioner's reply to repetitive notices, the third respondent, without a decision, has blocked access constraining the petitioner to move this Court.

This Court is of the opinion that the third respondent must place on record the outcome of the notices and the responses received and *must* also permit the petitioner to access her property through 500 metres length road, subject to further orders, stipulating that the petitioner shall not claim equity because of this order or make any permanent changes in the access. It is ordered accordingly.

Mr. Aditya Diwakara, a learned Additional Government Advocate, is called upon to accept notice for the respondents.

The office is directed to re-list this petition on 23.03.2026."

(emphasis supplied)

4. Learned AGA upon instructions submits that proceedings have been initiated by the petitioner under Section 64A of the Karnataka Forest Act, 1963² and the same is pending consideration. A copy of the notice dated 07.07.2026 issued to the petitioner is placed on record by the learned AGA along with the memo.

² hereinafter referred to as 'the Act'



5. Learned counsel for the petitioner vehemently disputes the assertion made on behalf of the official respondents that proceedings under Section 64A of the Act have been initiated. The learned counsel for the petitioner further contends that the lands in which the access road passes are the revenue lands and forest officials have no authority to block the access of the petitioner.

6. Having regard to the fact that the petitioner as well as her predecessors interest are stated to have been using the road in question to access their properties for a long period of time; keeping in mind the fact that this Court vide interim order dated 25.02.2026 has already granted access to the petitioner in respect of the roads in question; having regard to the fact that disputed questions of fact are to be adjudicated in appropriate proceedings, it is expedient that interim order dated 25.02.2026 permitting the petitioner to continue the access to the property being made absolute until conclusion of appropriate proceedings.

7. Accordingly, until conclusion of the appropriate proceedings that may be initiated by the concerned



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WP No. 4050 of 2026**

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respondents including one under Section 64A of the Act, the petitioner shall continue to access the subject property in terms of the order dated 25.02.2026 as to noticed above.

8. It shall be open to the parties in the said proceedings to seek for conducting of a joint survey.

9. The writ petition is partly allowed in the aforementioned terms.

10. Pending I.As., if any, stand disposed of.

Digitally Signed by CHEPPUDIRA
MONNAPPA POONACHA

**(C.M. POONACHA)
JUDGE**

BS
List No.: 1 Sl No.: 23