



CNR: KAHC010096222025

NC: 2026:KHC:53760
WP No. 5157 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. 5157 OF 2025 (SC/ST)

BETWEEN:

SRI VENKATAPPA
S/O LATE DODDAVENKATARAYAPPA,
AGED ABOUT 65 YEARS,
R/AT ANDALAHALLI VILLAGE,
NANDI HOBLI, CHICKBALLAPURA TALUK-562101
AND DISTRICT.

...PETITIONER

(BY SRI. L.NARASIMHA MURTHY, ADVOCATE FOR
SRI. SUDHINDRA S. A., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP.BY ITS CHIEF SECRETARY
VIDHANA SOUDHA,
BENGALURU
2. THE DEPUTY COMMISSIONER
CHICKBALLAPURA-562101
CHICKBALLAPURA DISTRICT
3. THE ASSISTANT COMMISSIONER
CHICKBALLAPURA SUB DIVISION-562101
CHICKBALLAPURA
4. M.KRISHNAPPA
S/O SONAPPA,
ANDALARLAHALLI VILLAGE,

Digitally signed by
PREMCHANDRA M R
Location: HIGH
COURT OF
KARNATAKA



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NANDI HOBLI,
CHICKBALLAPURA TALUK-562101
DISTRICT.

...RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 TO R3;
SRI. G.V.SHASHIKUMAR, ADVOCATE FOR R4)

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

THIS WRIT PETITION IS LISTED FOR PRELIMINARY
HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS
UNDER:

ORAL ORDER

Sri.L.Narasimhamurthy., counsel on behalf of
Sri.Sudhindra.S.A., for the petitioner; Smt.Savithramma.,
Additional Government Advocate for respondent Nos. 1 to 3,
and Sri.G.V.Shashikumar., counsel for respondent No.4
appeared in person.

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.



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3. Counsel for the respective parties advanced several contentions.

Counsel for the petitioner vehemently contended that there was no sale of the subject land by the family of the grantee. On this ground, it was contended that the orders passed by the Assistant Commissioner and the Deputy Commissioner are liable to be quashed.

The AGA and the counsel appearing for respondent No.4, on the other hand, justified the orders passed by the authorities below. They further urged additional grounds in support of the orders and submitted that the writ petition is devoid of merit and is liable to be dismissed.

4. The Court has heard the counsel for the parties and carefully perused the material available on record.

5. The issue in the present proceedings is confined to the resumption proceedings initiated under the PTCL Act. The subject land was granted in favor of the grantee during the year 1947-48. Subsequently, the subject land was conveyed under a registered sale deed during the year 1965-66.



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Nearly 45 years after the said sale, resumption proceedings were initiated before the Assistant Commissioner during the year 2009-10, seeking resumption of the subject land. The Assistant Commissioner rejected the petition. Aggrieved by the said order, an appeal was preferred before the Deputy Commissioner, who confirmed the order passed by the Assistant Commissioner. Both the Assistant Commissioner and the Deputy Commissioner have rejected the claim. In the facts and circumstances of the present case, the authorities were justified in rejecting the proceedings.

The contention of the petitioner that there was no sale by the family of the grantee has also been carefully considered. If the specific contention of the petitioner is that no sale of the subject land had taken place, the very basis for initiating proceedings under the PTCL Act would not arise for consideration. Therefore, the said contention does not advance the case of the petitioner. In view of the above, this Court finds no ground to interfere with the concurrent orders passed by the Assistant Commissioner and the Deputy Commissioner. The writ petition is devoid of merit and is accordingly ***dismissed***.



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Because of dismissal of the Writ Petition, interim order granted if any stands discharged and pending interlocutory applications if any are disposed of.

**SD/-
(JYOTI M)
JUDGE**

MRP
List No.: 1 Sl No.: 74