



CNR: KAHC010107682012

NC: 2026:KHC:38165
WP No. 1904 of 2012

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF JULY, 2026

BEFORE

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

WRIT PETITION NO.1904 OF 2012 (KLR-RES)

BETWEEN:

1. SMT. PRABHA
D/O MUNEGOWDA
AGED ABOUT 35 YEARS,
R/O EKARAJAPURA VILLAGE,
SULIBELE HOBLI, HOSAKOTE TALUK,
BENGALURU DISTRICT.

...PETITIONER

(BY SRI. D.P. MAHESH, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY ITS SECRETARY TO
THE GOVERNMENT
REVENUE DEPARTMENT
M.S.BUILDING,
DR.AMBEDKAR VEEDHI
BENGALURU -560001.
2. THE DEPUTY COMMISSIONER
BANGALORE RURAL DISTRICT
BANGALORE
VISHWESHWARAIHA TOWER,
DR.AMBEDKAR VEEDI,

Digitally signed
by CHAYA S A
Location: HIGH
COURT OF
KARNATAKA



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3. THE THASILDAR
HOSKOTE TALUK,
HOSAKOTE
BANGALORE DISTRICT.

...RESPONDENTS

(BY SRI. HARISHA A.S., AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 11.10.2010 BEARING NO. REVISION PETITION 149(6) 2006-07 PASSED BY THE DEPUTY COMMISSIONER, BANGALORE RURAL DISTRICT, VIDE ANNEXURE-L.

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

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

ORAL ORDER

Heard Sri. D.P. Mahesh, learned counsel for the petitioner and Sri. A.S. Harisha, learned High Court Government Pleader appearing for the respondent-State.



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2. In this writ petition, the petitioner has assailed the order dated 11.10.2010 passed by the respondent No.2-Deputy Commissioner in R.P.No.149(6) /2006-07 vide Annexure-L.

3. The petitioner claims to be the owner and cultivator of land measuring 3 acres 35 guntas situated at Ekarajapura Village, Hoskote Taluk, Bengaluru Rural District. The petitioner filed an application in Form No.50 under Section 94-A of the Karnataka Land Revenue Act, 1964, seeking regularisation of unauthorised cultivation, as evidenced by Annexure-A.

4. The petitioner further submits that an extract of the relevant register, produced at Annexure-C, evidences the filing of Form No.50. Pursuant thereto, the respondent No.3-Tahsildar, Hoskote, issued a notice calling upon the petitioner to



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appear before the Committee constituted for regularisation of unauthorised cultivation. It is stated that the Committee resolved to grant the land in favour of the petitioner and, accordingly, a Saguvali Chit was issued on 15.05.1999, as produced at Annexure-D. It is further stated that, pursuant to the said grant, mutation was effected in respect of the land in question, as reflected in Annexure-E, and ever since then, the petitioner has been in lawful possession and cultivation of the said land.

5. However, the respondent-authorities initiated suo motu proceedings under Section 136(3) of the Karnataka Land Revenue Act, 1964, calling upon the petitioner to produce the records relating to the land in question. In response thereto, the petitioner produced all the relevant documents, as evidenced by Annexure-K to the writ petition. Upon



consideration of the material placed on record, respondent No.2, by order dated 11.10.2010 passed in R.P. No.149(6)/2006-07 (Annexure-L), rejected the petitioner's claim regarding the grant. Aggrieved by the said order, the petitioner has presented this writ petition.

6. Having heard the learned counsel appearing for the parties and upon careful consideration of the reasons assigned in the impugned order at Annexure-L, this Court finds that the issue involved in the present case is squarely covered by the decision of this Court in W.P. No.1903 of 2012, disposed of by order dated 10.03.2020, wherein, under similar circumstances arising out of R.P. No.149(3)/2006-07, this Court allowed the writ petition and set aside the order dated 13.12.2010 passed by the Deputy Commissioner, Bengaluru Rural District, therein.



7. Having considered the reasons assigned by this Court in the aforesaid judgment and the material placed on record in the present case, I am of the considered opinion that respondent No.2 has committed an error in initiating suo motu proceedings under Section 136(3) of the Act in respect of the subject land and in passing the impugned order at Annexure-L. Hence, the impugned order, therefore, cannot be sustained in law.

Accordingly, the following:

ORDER

- (i) The writ petition is ***allowed***.
- (ii) The order dated 11.10.2010 passed by respondent No.2-Deputy Commissioner, Bengaluru Rural District, in R.P.



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No.149(6)/2006-07, produced at Annexure-L, is hereby set aside.

- (iii) The respondent-authorities are directed to restore the name of the petitioner in the revenue records pertaining to the subject land and continue the revenue entries in accordance with the grant made in favour of the petitioner, within an outer limit of three (3) months from the date of receipt of a certified copy of this order.

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

SB
List No.: 1 Sl No.: 63