



CNR: KAHC010122952016

NC: 2026:KHC:48608
WP No. 53594 of 2016

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF SEPTEMBER, 2026

BEFORE

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

WRIT PETITION NO.53594 OF 2016 (KLR-RES)

BETWEEN:

M. SHAMSHU KHAN
@ M SHAMSHU SAB
AGED ABOUT 48 YEARS
S/O MADAR KHAN
R/O MUSKAM 'B' BLOCK
ANDERSONPET POST
KOLAR GOLD FIELDS
KOLAR DISTRICT - 563 114

...PETITIONER

(BY SRI. UDHAYA KUMAR G, ADVOCATE)

AND:

1. THE STATE OF GOVERNMENT OF
KARNATAKA
BY IST REVENUE SECRETARY
VIDHANASOUDHA
BANGALORE - 01
2. DEPUTY COMMISSIONER
KOLAR DISTRICT
KOLAR - 563 101
3. ASSISTANT COMMISSIONER
KOLAR SUB-DVN
KOLAR - 563 1
4. TAHASILDAR
BANGARPET TALUK
BANGARPET - 563 114

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



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5. R R SHIRASTHEDAR
BANGARPET TALUK
BANGARPET - 563 114
6. K GAJENDRA
S/O M KRISHNAN
AGED ABOUT 57 YEARS
R/O NO.8
NEW MODEL HOUSE
BAND LINE
OORGAUM POST
KOLAR GOLD FIELD
KOLAR DISTRICT - 563 120

...RESPONDENTS

(BY SRI. SHAMANTH NAIK, AGA FOR R1 TO R5;
SRI. AKERSH B R, ADVOCATE FOR R6)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO a) QUASH ANNEXURE-A THE ORDER DATED 13.07.2016 MADE ON R.A NO.40/2013-14 PASSED BY 2ND RESPONDENT DEPUTY COMMISSIONER; b) CONFIRM THE ORDER DATED 12.07.2013 MADE ON R.A.448/2012-13 PASSED BY 3RD RESPONDENT ASSISTANT COMMISSIONER AS PER ANNEXURE-B AND ETC

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

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

ORAL ORDER

1. Heard the learned counsel appearing for the parties.
2. In this petition, the petitioner is assailing the order dated 13.07.20216 in R.A.No.40/2013-14 (Annexure-A)



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passed by respondent No.2 and the order dated 12.07.2013 in R.A.No.448/2012-13 (Annexure-B) passed by the respondent No.3.

3. Having heard the learned counsel for the parties and taking into consideration the factual aspects on record that both the authorities have directed the petitioner to establish his right over the land in a manner known to law.

4. In this regard, it is forthcoming that the petitioner herein has filed O.S.No.302/2016 before the II Additional Civil Judge and J.M.F.C at K.G.F, seeking relief of declaration and permanent injunction which came to be dismissed with costs on 17.02.2023 and thereafter, the judgment and decree passed by the Trial Court is confirmed in R.A.No.60/2023 on the file of the Senior Civil Judge and Principal J.M.F.C, K.G.F on 19.07.2024.



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5. In that view of the matter, I am of the opinion that no interference is called for insofar as this petition is concerned.

6. Accordingly, the writ petition is ***dismissed***.

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

GH
List No.: 1 Sl No.: 46