



CNR: KAHC010156252024

NC: 2026:KHC:37415
WP No. 8536 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF JULY, 2026

BEFORE

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

WRIT PETITION NO. 8536 OF 2024 (KLR-RES)

BETWEEN:

M.E. BAASVARAJ @ BASAVARAJAPPA
S/O ESWARAPPA,
A/A 60 YEARS,
AGRICULTURIST
ANJANADRI, 2nd CROSS,
3rd STAGE, VINOBANAGAR,
SHIVAMOGGA 577 204

...PETITIONER

(BY SRI. K.A. PRAKASH,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY ITS SECRETARY
TO DEPT OF REVENUE,
M.S BUILDING,
BENGALURU 560001
2. THE DEPUTY COMMISSIONER
SHIVAMOGGA DISTRICT,
SHIVAMOGGA 577 201
3. THE ASSISTANT COMMISSIONER
SHIVAMOGGA SUB DIVISION,
SHIVAMOGGA 577 204
4. THE TAHASILDAR BHADRAVATI
TALUK, BHADRAVATI TALUK
SHIVAMOGGA DISTRICT - 577301

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



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5. SRI. S R GIRISH
S/O RAMANTH SHIGGAOVAKAR
AEE, BTPS, KPCL
KUDUTHINI 583 115
BELLARI DISTRICT
6. SMT. YASHODA
W/O LATE GANESH
NARAYAN BAGGUN
MAJOR,
R/O SPURTHI
SUBBAIAH HOSPITAL
5th CROSS, HOSMANE EXTENSION,
SHIVAMOGGA DISTRICT 577 203

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE.N., HCGP FOR R1 TO R4;
SRI. GURURAJ S. SANGUR, ADVOCATE FOR R5 & R6)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE
CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS AND
PROCEEDINGS QUASH THE ORDER DTD 21.12.2016 LND CR
83/13.14 PASSED BY THE R4 AS PER ANNEXURE-J. QUASH THE
ORDER DTD 22.10.2021 LND CR.1143/2017 PASSED BY THE R3 AS
PER ANNEXURE-K. QUASH THE ORDER DTD 28.08.2023 LND 79/22
PASSED BY THE R2 AS PER
ANNEXURE-L 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

Heard the learned counsel appearing for the parties.

2. In this writ petition, petitioner is assailing the Order
dated 21.12.2016 (Annexure-J) passed by respondent



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No.4, order dated 22.10.2021 (Annexure - K) passed by respondent No.3 and order dated 28.08.2023 (Annexure-L) passed by respondent No.2.

3. It is contended by the learned counsel appearing for the petitioner, by referring to the order dated 21.11.1986 passed by the Divisional Commissioner, Bengaluru Division, Bengaluru, in Case No.LND.(S). SR.6/85-86 wherein an order has been passed to evict one Sri Armugam, who is in possession of excess of the land in question, which was not granted to him. The said order was confirmed by this Court in WA Nos.7576/1999 to 7578/1999 (KLR) dated 24.03.2000.

4. The learned counsel appearing for the petitioner submitted that, the petitioner herein had purchased 4 acres of land from the different grantees and therefore, the impugned orders passed by the respondent authorities requires interference of this Court in this writ petition.

5. Per contra, the learned HCGP sought to justify the impugned orders passed by the respondent authorities and



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submitted by referring to the extent of land grant made in favour of the grantees as per the Order dated 21.11.1986 (Annexure - D) and submitted that the petitioner had purchased the land in excess of the land which was not granted in favour of the vendors (grantees) of petitioner, and therefore, sought for dismissal of writ petition.

6. Learned AGA appearing for the respondent-authorities has produced the Order dated 26.03.2010 passed by the Regional Commissioner, Bangalore Division, Bangalore wherein, the Regional Commissioner has dropped the proceedings in view of the order passed by this Court in Writ Appeal Nos.7576/1999 to 7578/1999 and accordingly, sought for dismissal of the writ petition.

7. In the light of the submission made by the learned counsel appearing for the parties, the petitioner claiming right over the property as per the registered sale deed dated 13.11.1998, sale deed dated 27.11.1998 and 13.10.2000 vide Annexures - A, B and C respectively. It is



not in dispute that the petitioner had purchased the land from various grantees. It is also to be noted from the Order dated 21.11.1986 passed by the Divisional Commissioner, Bangalore Division at Annexure - D would indicate that an order has been passed against one Armugam who was in possession of the land in excess of 1 acre of land which was originally granted to him. The said order was confirmed by the Division Bench of this Court by Order dated 24.03.2000 (Annexure - E) in W.A.Nos.7576/1999 to 7578/1999.

8. With the backdrop of these aspects and careful consideration of the impugned orders at Annexures - J, K and L would indicate that the respondents authorities under the misconception of the fact that the petitioner herein had purchased the land from the persons those who are not grantees and as such, passed impugned orders.

9. Taking into consideration the aforementioned aspects, I pass the following:-



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ORDER

i) The writ petition is allowed.

ii) The impugned order dated 21.12.2026 at Annexure - J, order dated 22.10.2021 at Annexure - K and order dated 28.08.2023 at Annexure - L, are hereby set aside. The matter be remitted to respondent No.2 to reconsider the issue afresh in the light of the observation made above and take decision in the matter in accordance with law after affording opportunity of hearing to all the parties concerned.

iii) It is also made clear that since the parties are represented through the learner counsels, parties are directed to appear before respondent No.2 on 20.08.2026 at 03.00 p.m. and on their appearance respondent No.2 is directed to dispose of the petition at earliest.

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

Vmb, List No.: 1 Sl No.: 52