



CNR: KAHC010182822026

NC: 2026:KHC:52267
WP No. 8444 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 8444 OF 2026 (SCST)

BETWEEN:

SRI RAMAKRISHNAPPA
S/O LATE CHAVADINTI CHOWDAPPA
SINCE DEAD BY HIS LR S

SMT. RAJAMMA @ CHIKKA PAPAMMA
W/O LATE RAMAKRISHNAPPA
SINCE DEAD BY HIS LR'S

SRIKANTH
S/O LATE VENKATESH REDDY
SINCE DEAD BY HIS LRS,

1. SMT. SUVARNAMMA
W/O. LATE. VENKATESH REDDY,
AGED ABOUT 53 YEARS,
2. SRI. YASHWANTH,
S/O. LATE. VENKATESH REDDY,
AGED ABOUT 31 YEARS,

BOTH R/AT ARIKUNTE VILLAGE,
RONUR HOBLI,
SRINIVASAPURA TALUK, KOLAR.

...PETITIONERS

(BY SRI. GAGAN M.R., ADVOCATE FOR
SRI. NIKHIL SAI M., ADVOCATE)



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AND:

1. STATE OF KARNATAKA
REVENUE DEPARTMENT,
M. S. BUILDING,
BENGALURU-560 001
REPRESENTED BY ITS SECRETARY.
2. DEPUTY COMMISSIONER
KOLAR DISTRICT,
KOLAR-563 101
3. ASSISTANT COMMISSIONER
KOLAR SUB DIVISION,
KOLAR-563 101.
4. SRI.ERRAPPA,
S/O LATE VENKATESHAPPA,
AGE MAJOR
R/AT J THIMMASANDRA VILLAGE,
VADDARA COLONY,
SRINIVASAPURA TALUK,
KOLAR DISTRICT-563 131.

...RESPONDENTS

(BY SMT. SPOORTHY V., HCGP FOR R1 TO R3;
SRI. N. BAYYA REDDY., ADVOCATE FOR 4)

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:



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ORAL ORDER

Sri.Gagan M.R., counsel on behalf of Sri.Nikhal Sai M., for the petitioners, Smt.Spoorthi V., HCGP for respondent Nos.1 to 3 and Sri.N.Bayya Reddy, 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.

3. Counsel for the respective parties advanced several contentions.

HCGP and respondent No.4 submits that as there was a violation of provisions of PTCL Act, the resumption is justified. Urging additional grounds, they submit that the petition lacks merit and the same may be dismissed.

4. The Court heard the arguments and carefully perused the papers.



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5. This issue is limited to resumption proceedings. The land in question, Sy.No.8/P-15, spans 3 acres in Ramapura Village, Kasaba Hobli, Srinivaspura Taluk and Kolar District. It was granted to Sri.Gangappa in 1971. The land was sold in 1992.

Nearly 22 years after the sale, in 2014, the resumption proceedings were initiated before the Assistant Commissioner. The Assistant Commissioner approved the petition and ordered the land to be resumed. Dissatisfied, an appeal was preferred to the Deputy Commissioner, who upheld the original order. However, both the Assistant and Deputy Commissioners overlooked the nearly 22-years delay in initiating these proceedings. They failed to consider the issue of laches or the petitioner's claim that the proceedings were commenced after an unreasonable delay.

The authorities should have evaluated whether to proceed after nearly 22 years, especially since the rights in the land were settled by the sale deed in 1992. The oversight in considering the delay and laches led to orders for land



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resumption being issued without adequately addressing a crucial and relevant issue.

The Division Bench clarified that laches should be regarded as the primary requirement when resuming lands. It also held that if restoration action is filed after a significant delay, it could be barred by laches.

In the facts and circumstances of the case, this Court is of the considered view that the orders passed by the Assistant Commissioner and confirmed by the Deputy Commissioner, directing resumption of the subject land, cannot be legally sustained. Accordingly, the impugned orders are liable to be set aside.

6. For the foregoing reasons, the orders of the Assistant Commissioner and the Deputy Commissioner are liable to be set aside.

7. The writ of certiorari is ordered. The order dated 11.08.2025 passed by the Assistant Commissioner vide Annexure-D, and the order dated 26.12.2025 passed by the Deputy Commissioner vide Annexure-E are quashed. As this



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Court has quashed the orders, the authority concerned is hereby directed to restore the petitioner's name in the subject land in the revenue records.

8. Resultantly, the writ petition is ***allowed***.

On disposal of the Writ Petition, any interim order stands discharged, and any pending interlocutory applications, if any, are disposed of.

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

SS
List No.: 1 Sl No.: 64