



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 02ND DAY OF FEBRUARY, 2026

BEFORE

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

WRIT PETITION NO.2330 OF 2021 (GM-PP)

BETWEEN:

1. B.R. SAVITHA
W/O M.S. MANJUNATHA
AGED ABOUT 52 YEARS
R/AT NO.1024/73
NO.6, DODDAPETE
B M ROAD, KUNIGAL TOWN
TUMKUR-572130.
2. SRI. LADURAM
S/O OF LATE JASARAM
AGED ABOUT 64 YEARS
R/AT KATHA NO.1015/65
DODDAPETE, B M ROAD
KUNIGAL TOWN
TUMKUR-572130.

...PETITIONERS

(BY SRI. RIAZ PASHA K., ADVOCATE)

AND:

1. THE COMPETENT OFFICER
CHIEF OFFICER
TOWN MUNICIPAL COUNCIL
KUNIGAL
TUMKURU-572 130.
2. MUNICIPAL OFFICER



- TOWN MUNICIPAL COUNCIL
KUNIGAL TOWN
TUMKURU-572130.
3. TAMANNA GOWDA
S/O GANDADARAIAH
AGEDA BOUT 33 YEARS
R/AT TEREDAKUPPE VILLAGE
KATAGER HOBLI
TUMKUR.
4. CHIEF MINISTERIAL OFFICER
COURT OF SENIOR CIVIL JUDGE
KUNIGAL
TUMKUR DISTRICT.
5. THE CHIEF MINISTERIAL OFFICER
COURT OF CIVIL JUDGE
TUMKUR DISTRICT
KUNIGAL
TUMKUR DISTRICT.

...RESPONDENTS

(RESPONDENTS SERVED AND UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED JUDGEMENT AND ORDER PASSED BY THE HON'BLE DISTRICT AND SESSIONS JUDGEMENT TUMKUR IN M.A.NO.7 AND 8 CONNECTED WITH OTHER APPEALS SO FAR IN RESPECT OF THE PROPERTY OF THE PETITIONERS ARE CONCERNED MENTIONED HEREUNDER.

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 Sri. Riaz Pasha K., learned counsel appearing for the respective petitioners.

2. In the present writ petition, the petitioners have assailed the order dated 17.03.2020 passed in M.A. Nos.7 and 8 of 2020 on the file of the Principal District and Sessions Judge, Tumakuru, whereby the appeals preferred by the petitioners came to be dismissed with costs of Rs.1,00,000/- each, payable by the appellants therein to the State Government.

3. The relevant facts, necessary for adjudication of the writ petition are that the petitioners claim to be the owners in possession of the property bearing Khata Nos.1026/75 and 1015/65 on the basis of registered Gift Deed dated 27.10.2005 and registered Sale Deed dated 25.07.2003. It is the case of the petitioners that they are



in possession of the land in question and, therefore, they challenged the orders dated 27.01.2020 passed by the competent authority under Section 10 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1974 in the aforementioned appeals, wherein, it was held that the petitioners had encroached upon the property belonging to the Civil Court Complex, Kunigal.

4. On careful consideration of the findings recorded by the original authority as well as the impugned order dated 17.03.2020 passed by the Principal District and Sessions Judge, Tumakuru, it is evident that the Appellate Authority has categorically held that the petitioners do not have any title over the property in question. A perusal of the impugned order dated 17.03.2020, further reveals that the land on which the Civil Court Complex, Kunigal, is constructed is Government land, which was handed over to the jurisdictional Court for construction of the Court Complex, by the Government, however, by creating the



false documents, the vendors of the petitioners herein have gifted and sold the property in question in favour of the petitioners. It is also forthcoming from the findings recorded by the Appellate Authority that the Court property is situated in Sy. No.1, measuring about 127 acres, wherein apart from the Court Complex, establishments such as the Military Stud Farm, Government Offices, KSRTC Bus Stand and other public authority offices are situated. The survey report submitted by the Surveyors attached to the Assistant Director of Land Records, Kunigal, would clearly indicates the encroachment upon the land belonging to the Civil Court Complex by the petitioners.

5. In that view of the matter, I am of the considered opinion that no interference is called for in this writ petition as there is no perversity in the impugned order passed by the Trial Court.



6. The learned Principal District and Sessions Judge, Tumakuru, after considering the entire material on record, has dismissed the appeals by a detailed and reasoned order, which does not call for any interference by this Court. Accordingly, the writ petition stands ***dismissed.***

SD/-
(E.S.INDIRESH)
JUDGE

SB
List No.: 1 Sl No.: 7