



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 8500 OF 2026 (SCST)

BETWEEN:

1. SRI. BALARAJ
SON OF LATE MUNIVENKATASWAMAPPA,
AGED ABOUT 67 YEARS,
NO.17, SHARAVATHI NILAYA,
1ST MAIN, SHASTRANAGARA,
JALAHALLI, BENGALURU NORTH,
PIN CODE-560 015.
2. SRI.N.SRIKANTAIHA,
SON OF LATE NANJUNDAPPA,
AGED ABOUT 58 YEARS,
RESIDING AT KALIDASANAGARA,
SIRA TOWN, TUMAKURU,
PIN CODE-572 137.

... PETITIONERS

(BY SRI. NARENDRA BABU H.L., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS CHIEF SECRETARY,
DEPARTMENT OF LAND REVENUE,
VIDHANA SOUDHA,
BANGALORE PIN CODE - 560 001



2. THE DEPUTY COMMISSIONER,
TUMAKURU, PIN CODE - 572 101
3. THE ASSISTANT COMMISSIONER,
MADHUGIRI SUB DIVISION, TUMAKURU,
PIN CODE - 572 132
4. THE THASILDAR,
SIRA TALUK, TUMAKURU,
PIN CODE-572 132.
5. SRI.SHIVANNA,
SON OF LATE LAKSHMANA,
AGED ABOUT 58 YEARS,
RESIDING AT SOOREKUNTE VILLAGE,
KASABA HOBLI, SIRA TALUK,
TUMAKURU DISTRICT,
PIN CODE - 572 137
6. SRI.KARIYANNA
SON OF LATE MALAPPA,
AGED ABOUT 56 YEARS,
RESIDING AT SOOREKUNTE VILLAGE,
KASABA HOBLI, SIRA TALUK,
TUMAKURU DISTRICT,
PIN CODE - 572 137.

... RESPONDENTS

(BY SRI. SHAMANTH NAIK, HCGP FOR R1 TO R4)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) TO DIRECT THE RESPONDENT NO.2 TO CONSIDER THE APPEAL FILED BY THE PETITIONERS UNDER SECTION 5-A OF THE PTCL ACT IN PTCL.NO (NIL) /2026 AS PER ANNEXURE-G1 AND ALSO TO CONSIDER THE I.A FOR STAY FILED BY THE PETITIONER UNDER SECTION AS PER ANNEXURE-G3, WHICH BEING FILED



THROUGH E-FILING VIDE ACKNOWLEDGEMENT NO. 8088692371-1779 ON 05.03.2026 AS PER ANNEXURE-G2 AND ETC.

THIS PETITION COMING ON FOR PRELIMINARY HEARING THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

Learned High Court Government Pleader accepts notice for respondents 1 to 4.

2. Petitioners have sought for a direction to the Deputy Commissioner to consider the appeal filed by the petitioner under Section 5A of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act (for short 'the PTCL Act') and has also sought for consideration of the interlocutory application for stay filed in the appeal proceedings.

3. Petitioners submit that they are the purchasers of the land which is alleged to be granted land. It is further submitted that application seeking restoration of land sold in violation of the PTCL Act came to be filed in



the year 2012 which was allowed by the Assistant Commissioner by the order dated 03.03.2026. By virtue of the order of the Assistant Commissioner, there was a direction for resumption of land. It is further submitted that immediately thereafter revenue entries have been changed in the name of the grantees.

4. Petitioners submit that an appeal has been preferred before the Deputy Commissioner on 05.03.2026 within the period of limitation and till date, the appeal has not been taken up for consideration and the request of the petitioners for stay of the order of the Assistant Commissioner has not been considered.

5. Petitioners submit that the appeal memorandum is produced at Annexure-G1 and the application for stay is at Annexure-G3. It is submitted that in light of the revenue entries already having been transferred in the names of the grantees even while the appeal of the petitioners is pending consideration before



the appellate authority, there is an apprehension of being dispossessed.

6. Taking note of the limited prayer being made, viz., consideration of application filed seeking stay of the order at Annexure-D, petition itself could be disposed of. The Deputy Commissioner - respondent No.2 to take immediate steps to commence the proceedings in appeal filed before the Deputy Commissioner in terms of the memorandum of appeal at Annexure-G1. Necessary orders to be passed on the interlocutory application filed seeking interim relief as is evidenced by the application at Annexure-G3.

7. Till such request of the petitioner for interim relief is considered, there would be stay of the order at Annexure - D and proceedings pursuant thereto till the Deputy Commissioner passes appropriate orders regarding the request of the petitioners for stay. All contentions are kept open.



8. Issuance of notice to respondents 5 and 6 is waived in light of the relief granted by the Court is only transitory till the Deputy Commissioner passes an order on the pending interlocutory applications.

Accordingly, petition is ***disposed of***.

Sd/-
(S SUNIL DUTT YADAV)
JUDGE

VP