



CNR: KAHC010188642019

NC: 2026:KHC:48604
WP No. 29005 of 2019

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.29005 OF 2019 (KLR-RES)

BETWEEN:

1. THE STATE OF KARNATAKA
DEPARTMENT OF REVENUE
M S BUILDING
BENGALURU-560 001
REPRESENTED BY ITS
PRINCIPAL SECRETARY
2. THE TAHSILDAR
BENGALURU EAST TALUK
BENGALURU

...PETITIONERS

(BY SRI. MITHUN G A, AAG A/W
SRI. ADITYA DIWAKARA, GOVT. ADVOCATE)

AND:

1. THE SPECIAL DEPUTY COMMISSIONER
BANGALURU NORTH SUB-DIVISION
BENGALURU URBAN DISTRICT
BENGALURU

SRI. MUNIBASAPPA
(SINCE DEAD)
S/O GIDDAPPA
BY HIS LEGA HEIRS
2. SRI M DODDANARAYANAPPA
S/O LATE MUNIBASAPPA
AGED MAJOR

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



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3. SRI. M JNGAMAPPA
S/O LATE MUNIBASAPPA
AGED MAJOR

RESPONDENTS NO.2 & 3 ARE
RESIDENT OF NIMBEKAIPURA VILLAGE
BIDDARAHALLI HOBLI
BENGALURU EAST TALUK
BENGALURU - 560 049

...RESPONDENTS

(BY SMT. SHARADH H.V., AGA FOR R1;
PETITION AGAINST DECEASED R2 IS ABATED;
SRI. RAHUL S REDDY, ADVOCATE FOR R3)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE
CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER
PASSED BY THE SPECIAL DEPUTY COMMISSIONER-1,
BENGALURU NORTH SUB-DIVISION, BENGALURU URBAN
DISTRICT, BENGALURU IN NO.RRT (2) (E) CR 47/2015-16
DATED 16.07.2018 VIDE ANNEXURE-A AND ETC

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

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

ORAL ORDER

1. In this writ petition, the petitioners are assailing the
order dated 16.07.2018 (Annexure-A) passed by the
Special Deputy Commissioner-I, Bengaluru North Sub
Division, Bengaluru Urban District, Bengaluru in Case
No.RRT(2)(E)C.R.47/15-16.



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2. Heard Sri.Mithun G.A, learned Additional Advocate General along with Sri.Aditya Diwakara, learned Additional Government Advocate appearing on behalf of the petitioners, Sri.Rahul S. Reddy, learned counsel for respondent No.3.

3. Smt.Sharada H.V, learned Additional Government Advocate accepts notice for respondent No.1.

4. Sri.Mithun G.A, learned Additional Advocate General submitted that respondent No.1 has no jurisdiction to pass the impugned order as the Presiding Officer has no capacity to exercise *suo motu* proceeding under Section 136(3) of the Karnataka Land Revenue Act, 1964. Accordingly, sought for interference of this Court.

5. It is also submitted by the learned Additional Advocate General appearing for the petitioners that respondent No.1 has not verified the original records in the office of the Tahsildar and as such, the impugned



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order at Annexure-A suffers from infirmity. Accordingly, sought for interference of this Court.

6. Sri.Rahul S.Reddy, learned counsel appearing for respondent No.3 submitted that the grant made in favour of the father of the respondent Nos.2 and 3 is on 26.10.1963 and thereafter, upset price has been received by the respondent - authorities. Therefore, the respondent Authorities ought not have initiated the *suo motu* proceedings after five decades. Therefore, sought for dismissal of the writ petition.

7. In the light of the submissions made by learned counsel for the parties and on careful consideration of the impugned order at Annexure-A would indicate that respondent No.1 after verifying the records from the office of the Tahsildar, Hosakote Taluk, particularly with regard to grant order dated 26.10.1963 in respect of the land bearing Sy.No.52 to an extent of 2 acres in



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LNDMF/180/61-62 has confirmed the grant made in favour of the father of the respondent Nos.2 and 3.

8. Though learned Additional Advocate General submitted that there is no original records in the office of the Tahsildar, however, it is forthcoming from the impugned order that petitioner No.2 has received the upset price made by respondent No.3 is concerned.

9. In that view of the matter, as it is forthcoming from the writ petition, that the order of grant is made on 26.10.1963 and the *suo motu* proceedings having been initiated against the petitioner during 2015, after lapse of 60 years and therefore, I am of the view that no interference is called for insofar as the petition is concerned, as the settled position of law is that the respondent - Authorities cannot exercise *suo motu* jurisdiction within the unreasonable period is concerned. However, looking the factual aspects on record is concerned, respondent No.1 has rightly passed the order



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to drop the *suo motu* proceedings based on the available records. In that view of the matter, the following declaration of law made by the Hon'ble Supreme Court in the case of ***Joint Collector Ranga Reddy District and Another Vs. D.Narsing Rao and Others*** reported in ***(2015) 3 SCC 695***, I am of the view that no interference is called for in this writ petition.

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

Sd/-
(E.S.INDIRESH)
JUDGE

GH
List No.: 1 Sl No.: 51