



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 8827 OF 2025 (KLR-LG)

BETWEEN:

SRI CHANDRAIAH
S/O. LATE CHANNAIAH
AGED ABOUT 50 YEARS
R/A BLOCK NO.8, HOSSLAINE ROAD,
HASANAMBA, POLICE QUARTERS,
HASSAN-573201.

...PETITIONER

(BY SRI. GIRISHA H M., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF REVENUE
M.S.BUILDING, BENGALURU - 560 001
2. THE DEPUTY COMMISSIONER
KODAGU(MADIKERI) DISTRICT
MADIKERI-571232
3. THE SPECIAL LAND ACQUISITION OFFICER
HEMAVATHI RESERVOIR PROJECT
DC OFFICE BUILDING
HASSAN-573 201.
4. THE ASST. COMMISSIONER
SOMAWARPET SUB-DIVISION

Digitally signed
by JUANITA
THEJESWINI
Location: HIGH
COURT OF
KARNATAKA



SOMAWARPETE-571232.

5. THE TAHSILDAR
SOMAWARPET TALUK,
KODAGU DISTRICT - 571232.
6. THE ASST. DIRECTOR OF LAND RECORDS
KODAGU(MADIKERE) DISTRICT
MADIKERI-571232.
7. THE DEPUTY CONSERVATOR OF FOREST
MADIKERI DIVISION
KODAGU DISTRICT - 571232.
8. THE INSPECTOR OF POLICE
CEN CRIME POLICE,
DCRB DIVISION
HASSAN -573 201.

...RESPONDENTS

(BY SMT. NAVYA SHEKHAR., AGA)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER NO. LND/HRP(D).12/2009-10 DTD. 02.06.2023 PASSED BY THE SPECIAL LAND ACQUISITION OFFICER, HEMAVATHI RESERVOIR PROJECT HASSAN / R-3 CANCELLING THE GRANT MADE IN FAVOUR OF THE PETITIONER IN RESPECT OF THE SCHEDULE PROPERTY WHICH IS PRODUCED AT ANNEX-A AND DIRECT THE R-5 TO RESTORE THE REVENUE ENTRIES OF THE SCHEDULE PROPERTY IN TO THE NAME OF THE PETITIONER AS PER GRANT ORDER DTD. 23.09.2011 IN NO. HRP(D).12/09-10 AT ANNEX-D AND ETC.,



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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

The petitioner is aggrieved of the impugned order passed by the Special Land Acquisition Officer, Hemavathi Reservoir Project, Hassan in case No.L.N.D/HE.JA.YO(DA):12/2009-10 dated 02.06.2023.

2. The petitioner claims to be the legal heir of late Sri.Channaiah, who lost his lands due to submergence of his lands under water on the construction of Hemavathi/Yagachi/Vathole Reservoir. In terms of the scheme proposed by the State Government, a person who lost land on account of submergence for the project, would not only be entitled for compensation but also entitled for grant of alternative lands to ensure that the livelihood of such agriculturists are not lost. Accordingly, 4 acres of land in Sy.No.51/7 in Block No.13 of Madre Hosahalli Village, Kodlipete Hobli, Somawarpet Taluk, Kodagu



(Madikeri) District was granted, in favour of the petitioner's father. However, several irregularities were found in the matter of allotment of alternative lands. Action was directed by the State Government having regard to such irregularities. The Special Land Acquisition Officer (for short 'SLAO') has passed the impugned order in respect of the petitioner cancelling the grant on the ground that he did not obtain 'No Objection Certificate' for having paid the price of the malki/standing trees.

3. Having regard to the ground on which the order has been passed, learned counsel for the petitioner has drawn the attention of this Court to Rule 11 of the Karnataka Land Grant Rules, 1969. Learned Counsel submits that whenever lands are granted under the provisions of the Karnataka Land Grant Rules 1969, the manner in which the trees grown on the granted lands have been disposed is provided for in the said provision. Learned Counsel submits that Sub-Rule (1) provides that the authorities of the Forest Department have to value all



the trees standing on the granted lands. Sub-Rule (2) provides that wherever the value of the trees so assessed is not more than Rs.5,000/- in cases of other cultivable lands, the grantee should be given the option of paying the estimated price; the time to be stipulated by the granting authority and accordingly the trees shall be sold to the grantee. It provides that if the grantee once agrees to pay the value of the trees and defaults to pay the same, it may occasion cancellation of the grant. If the grantee is not willing to pay the value of the trees assessed by the Forest Department, the trees shall be disposed of by the authorities of the Forest Department by tender-cum-auction sale. Sub-rule (3) provides that if the value is more than Rs.5,000/- the trees shall be removed by the authorities of the Forest Department within one year from the date of the grant of land.

4. However, in the present case, the Deputy Conservator of Forests had assessed the values of the standing trees and issued an Official Memorandum on



23.02.2022 calling upon the petitioner to pay a sum of Rs.15,99,025/- as the value of the standing trees in the granted land. Accordingly, the said amount was deposited. Thereupon a receipt was also issued, as could be seen at Annexure-J1. Having regard to the said information, it is clear that the SLAO, has not looked into the records.

5. In the orders passed by this Court in respect of several other such cases, where the competent authority had not valued the trees and no information was given to the grantees, this Court had remanded the matter back to the SLAO for reconsideration. However, in the present case, it is clear that the value of the trees was fixed, the petitioner has paid the value and therefore, the impugned order passed by the SLAO cannot be sustained.

6. Accordingly, the writ petition is **allowed** while setting aside the impugned order No. L.N.D/HE.JA.YO(DA):12/2009-10 dated 02.06.2023 passed by the Special Land Acquisition Officer, Hemavathi



Reservoir Project, Hassan, at Annexure 'A'. Consequent to the restoration of the grant in favour of the petitioner's father, the revenue entries shall also be restored in the RTC.

Sd/-
(R DEVDAS)
JUDGE

JT/-
CT: JL