



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 9404 OF 2026 (SC-ST)

BETWEEN:

DR. MOLAKALA PRASAD REDDY
SINCE DEAD BY HIS L.RS.

1. SMT. DR. MOLAKALA HEMALATHA
AGED ABOUT 73 YEARS,
W/O LATE MOLAKALA PRASAD REDDY.
2. SMT. MOLAKALA NEETHA PRASAD
AGED ABOUT 52 YEARS,
D/O LATE MOLAKALA PRASAD REDDY.
3. SMT. MOLAKALA NITHYA PRASAD
AGED ABOUT 39 YEARS,
D/O LATE MOLAKALA PRASAD REDDY,
PETITIONER NO.1 & 2 ARE
REPRESENTED BY THEIR GPA HOLDER
SMT. DR. MOLAKALA HEMALATHA

ALL ARE RESIDING AT NO.3/1158,
YMR COLONY, PRODDATUR,
KADAPA DISTRICT,
ANDHRA PRADESH-516360

...PETITIONERS

(BY SRI. NITHIN K.N.. ADVOCATE FOR
SRI. HARI KRISHNA K A., ADVOCATE)



AND:

1. THE DEPUTY COMMISSIONER
BENGALURU URBAN DISTRICT,
K.G. ROAD, BENGALURU 560009.
2. SRI. MUTHURAJ.V
S/O LATE VENKATESHAPPA,
AGED ABOUT 33 YEARS,
R/AT BANDIKODIGEHALI VILLAGE,
JALA HOBLI, YELAHANKA TALUK,
BENGALURU-562149.

...RESPONDENTS

(BY SRI.V.SESHU., HCGP FOR R1
SRI. KASHINATH J.D., ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI, QUASHING THE ORDER DATED 29-1-2026 PASSED BY THE 1ST RESPONDENT I.E., THE DEPUTY COMMISSIONER, BENGALURU URBAN DISTRICT, IN K.SC.ST.PTCL APPEAL NO.18/2024 ALLOWING MEMO DATED-29-1-2026 FILED BY THE RESPONDENT NO.2 AS PER ANNEXURE-A AND THEREBY TO DISMISS THE SAID MEMO, WITH EXEMPLARY COSTS AND ETC.,

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



CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

Learned High Court Government Pleader accepts notice for respondent No.1. Learned Counsel Sri Kashinath J.D., has entered appearance for respondent No.2.

2. The grievance of the petitioners is in respect of the impugned orders dated 29.01.2026, 12.02.2026 and 26.02.2026 passed by the first respondent-Deputy Commissioner in proceedings bearing No.PTCL 18/2024 which is filed by the petitioners herein.

3. Learned counsel for the petitioners submits that at the instance of respondent No.2, the Assistant Commissioner has passed an order in proceedings bearing No.K.SC.ST(BNA) 4/2020 dated 14.12.2022, allowing the petition filed under Sections 4 and 5 of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 while directing resumption and restoration of the lands in favour of



respondent No.2. Being aggrieved by the order passed by the Assistant Commissioner, the petitioners herein filed an appeal before the Deputy Commissioner, Bengaluru Urban District, in Appeal No.18/2024-25.

4. Learned counsel submits that the second purchaser Smt.B.S.Leelavathi was directed to be arrayed as a party to the proceedings as respondent No.4. However, the petitioners filed a memo seeking deletion of respondent No.4 and accordingly an order was passed on 11.09.2025 permitting deletion of respondent No.4. However, one more memo was filed by respondent No.2 herein seeking to bring the legal representatives of respondent No.4 - Smt.Leelavathi on record. The Deputy Commissioner has passed an order on 29.01.2026 without even hearing the petitioners who are the appellants on record in respect to the memo filed by respondent No.2 herein. Moreover in PTCL proceedings the first purchaser would become a necessary party having regard to the fact that the first transaction is always under challenge in PTCL



proceedings. The first purchaser is one Mr.Abdul Bashid and Smt. Leelavathi purchased the property from Mr.Abdul Bashid and thereafter she sold it in favour of M/s.J.B. & Hara Properties who in turn sold in favour of M/s.B.G.Properties India Pvt. Ltd. The petitioners herein purchased the property from M/s.B.G.Properties under a registered sale deed dated 01.04.2011. Learned counsel submits that ultimately it is the petitioners who are going to be affected by any orders that would be passed by the authorities if the application/petition under Sections 4 and 5 of the PTCL Act is allowed. No useful purpose would be served in impleading the intervening purchasers.

5. Learned counsel would therefore submit that the impugned order passed by the Deputy Commissioner to bring on record the legal representatives of Smt. Leelavathi who is the second purchaser may be set aside.

6. Learned counsel for respondent No.2 however submits that Smt.Leelavathi got the lands converted from agricultural to residential purpose at the hands of the



Assistant Commissioner, Bangalore Sub-Division, vide Official Memorandum dated 15.11.1995 and the name of Smt.B.S.Leelavathi is reflected in the RTC. Therefore, a request was made by respondent No.2 to bring on record the legal representatives of Smt.Leelavathi.

7. Having heard the learned Counsels on both the sides, this Court is of the considered opinion that in PTCL proceedings, as rightly submitted by the learned counsel for petitioners, it is the first sale transaction which is challenged and therefore the first purchaser and the last purchaser who is in possession of the property and who would be affected by any orders passed by the authorities would become a necessary party to the proceedings and the intervening purchasers are inconsequential in PTCL proceedings.

8. In that view of the matter, the writ petition is **allowed** while setting aside the impugned orders passed by the Deputy Commissioner on 29.01.2026, 12.02.2026 and 26.02.2026 in proceedings bearing No.PTCL/18/2024.



**NC: 2026:KHC:18144
WP No. 9404 of 2026**

Ordered accordingly.

Learned High Court Government Pleader is permitted to file memo of appearance within a period of four weeks from today.

**Sd/-
(R DEVDAS)
JUDGE**

JT/-
CT: JL