



CNR: KAHC010225272025

NC: 2026:KHC:52955
WP No. 10027 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 10027 OF 2025 (SC/ST)

BETWEEN:

1. SRI. SHANKAR G.,
AGED ABOUT 39 YEARS,
S/O. GANESH,
2. RAJENDRA A.,
AGED ABOUT 37 YEARS,
S/O. LATE ANKAPPA,
3. SRI. SANTHOSH S.,
AGED ABOUT 36 YEARS,
S/O. SHANMUGHA,
4. SRI. SHARAVANA L.,
AGED ABOUT 34 YEARS,
S/O. LOKANATH,

ALL ARE READING AT MOGRAHALLI
BELAGOLA HOBLI,
SRIRANGAPATNA TALUK,
MANDYA DISTRICT -571438.

...PETITIONERS

(BY SRI. CHANDRASHEKAR P.V., ADVOCATE)

AND:

1. STATE OF KARNATAKA,
DEPARTMENT OF REVENUE,
VIKASA SOUDHA,
DR AMBEDKAR ROAD,



CNR: KAHC010225272025

NC: 2026:KHC:52955
WP No. 10027 of 2025

BENGALURU-560001.
REPRESENTED BY ITS
PRINCIPAL SECRETARY.

2. THE DEPUTY COMMISSIONER,
MYSORE DISTRICT,
MYSORE-570001.
3. THE ASSISTANT COMMISSIONER,
MYSORE SUB-DIVISION,
MYSORE-570001.
4. THE TAHSILDAR,
MYSORE TALUK,
MINI VIDHANA SOUDHA BUILDING,
MYSORE-570001.
5. SMT. N.PUVATHAL,
MAJOR IN AGE,
W/O. R.NATARAJAN,
R/AT NO.107, MOGRAHALLI,
BELAGOLA HOBLI,
SRIRANGAPATNA TALUK,
MANDYA DISTRICT - 571438.

...RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 TO R4;
SRI. KESHAVA CHANDRA S.P., ADVOCATE FOR
SRI. H.C.SHIVARAMU, ADVOCATE FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.

THIS WRIT PETITION IS LISTED FOR PRELIMINARY
HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS
UNDER:



CNR: KAHC010225272025

NC: 2026:KHC:52955
WP No. 10027 of 2025

ORAL ORDER

Sri.P.V.Chandrashekar., counsel for the petitioners;
Smt.Savithramma., Additional Government Advocate for
respondent Nos.1 to 4, and Sri.Keshava Chandra.S.P.,
counsel on behalf of Sri.H.C.Shivaramu., for respondent
No.5 appeared in person.

2. The petition is filed seeking a writ of certiorari
to quash the orders passed by the Assistant Commissioner
and the Deputy Commissioner. These orders are
challenged in this writ petition on several grounds as set
out in the memorandum of the writ petition.

3. Counsel for the respective parties advanced
several contentions.

Sri. Chandrashekar P.V., counsel, vehemently
contended that the grant was made on 17.05.1940 and
was subject to a permanent non-alienation clause.
Therefore, the property could not have been legally
purchased. He submitted that the Assistant Commissioner



CNR: KAHC010225272025

**NC: 2026:KHC:52955
WP No. 10027 of 2025**

and the Deputy Commissioner erred in dismissing the petition. Counsel drew the attention of the Court to Annexures-E and E1, contending that the very same Assistant Commissioner had allowed the other petitions by holding that the provisions of the PTCL Act were applicable. Urging these and other additional grounds, counsel submitted that the impugned orders are liable to be quashed.

AGA and counsel for respondent No.5 justified the orders passed by the Assistant Commissioner and Deputy Commissioner. Urging additional grounds, they submit that the petition lacks merit and the same may be dismissed.

4. The Court heard the arguments and carefully perused the papers.

5. This issue is limited to resumption proceedings. The land in question, Sy.No.73, spans 4 acres 27 guntas in Syadanahalli Village, Kasaba Hobli, Mysore Taluk. It was



CNR: KAHC010225272025

**NC: 2026:KHC:52955
WP No. 10027 of 2025**

granted to Mr.Ganapathi Nayaka, in 1940. Later, the subject land was sold in 2006 through a registered sale deed.

Nearly 14 years after the sale, resumption proceedings were initiated before the Assistant Commissioner in the year 2020. The Assistant Commissioner rejected the petition. Aggrieved by the said order, an appeal was preferred before the Deputy Commissioner, who, upon consideration of the matter, upheld the order of the Assistant Commissioner. Both the Assistant Commissioner and the Deputy Commissioner were justified in rejecting the claim.

The Division Bench clarified that laches should be regarded as the primary requirement when resuming lands. It also held that if restoration action is filed after a significant delay, it could be barred by laches.

In the facts and circumstances of the case, this Court is of the considered view that the order passed by the



CNR: KAHC010225272025

NC: 2026:KHC:52955
WP No. 10027 of 2025

Assistant Commissioner and affirmed by the Deputy Commissioner is justified and does not warrant interference. No grounds are made out to interfere with the impugned orders. Accordingly, the writ petition, being devoid of merit, is ***dismissed***.

Because of dismissal of the Writ Petition, interim order granted if any stands discharged and pending interlocutory applications if any are disposed of.

**SD/-
(JYOTI M)
JUDGE**

MRP

List No.: 2 Sl No.: 32