



CNR: KAHC010243512023

NC: 2026:KHC:51794  
WP No. 10641 of 2023

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 21<sup>ST</sup> DAY OF SEPTEMBER, 2026**

**BEFORE**

**THE HON'BLE MS. JUSTICE JYOTI M**

**WRIT PETITION NO. 10641 OF 2023 (SC/ST)**

**BETWEEN:**

NARAYANAPPA  
S/O LATE KONDAPPA  
AGED ABOUT 67 YEARS  
R/AT AJJAVARA VILLAGE,  
NANDI HOBLI,  
CHIKKABALLAPURA DISTRICT-562 101.

...PETITIONER

(BY SRI. BASAVARAJU N., ADVOCATE FOR  
SRI. B. RAMESH, ADVOCATES)

**AND:**

1. STATE OF KARNATAKA  
DEPARTMENT OF REVENUE  
VIDHANA SOUDHA  
DR AMBEDKAR VEEDHI  
BENGALURU-560 001.
2. THE DEPUTY COMMISSIONER  
CHIKKABALLAPURA DISTRICT  
CHIKKABALLAPURA-562 101.
3. THE ASSISTANT COMMISSIONER  
CHIKKABALLAPURA DISTRICT  
CHIKKABALLAPURA-562 101.
4. SMT. KENCHAMMA  
D/O A D MUNIYAPPA  
AGED 72 YEARS

Digitally signed by  
PREMCHANDRA M R  
Location: HIGH COURT  
OF KARNATAKA



CNR: KAHC010243512023

NC: 2026:KHC:51794  
WP No. 10641 of 2023

5. VENKATESHAPPA  
S/O MUNIYAPPA  
AGED 49 YEARS

RESPONDENT NOS. 4 AND 5 ARE  
R/AT AJJAVARA VILLAGE  
NANDI HOBLI,  
CHIKKABALLAPURA DISTRICT-562 101.

...RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 TO R3;  
SRI. S.R. SREEPRASAD, ADVOCATE FOR R4 AND 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:

**ORAL ORDER**

Sri.Basavaraju.N., counsel on behalf of Sri.B.Ramesh., for  
the petitioner; Smt.Savithramma., Additional Government  
Advocate for respondent Nos.1 to 3, and Sri.S.R.Sreeprasad,  
counsel for respondent Nos.4 and 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



CNR: KAHC010243512023

**NC: 2026:KHC:51794  
WP No. 10641 of 2023**

writ petition on several grounds as set out in the memorandum of the writ petition.

3. Counsel appearing for the respective parties advanced their submissions.

Counsel appearing for respondent Nos.4 and 5 submitted that the Deputy Commissioner had passed the impugned order on 07.05.2014, whereas the present writ petition came to be filed only in the year 2023. Thus, there is a delay of nearly nine years in approaching this Court. It was therefore contended that the writ petition is liable to be dismissed on the ground of delay and laches.

*Per contra*, counsel appearing for the petitioner submitted that the petitioner is an illiterate and was not aware of the legal proceedings. Counsel drew the Court's attention to Annexure-M, to contended that the petitioner was suffering from illness and hence, the petition could not been filed in time. It was therefore contended that the delay in approaching this Court may not be held against the petitioner and that the question of laches would not arise.



CNR: KAHC010243512023

**NC: 2026:KHC:51794  
WP No. 10641 of 2023**

4. This Court has considered the submissions made by the counsel for the parties and has carefully perused the records placed before it.

5. The controversy in the present petition is confined to the resumption proceedings. A perusal of the records discloses that the Deputy Commissioner passed the order on 07.05.2014. However, the present writ petition has been instituted only in the year 2023, after an unexplained delay of nearly nine years.

The petitioner's illiteracy and consequential ignorance of the legal proceedings do not, by themselves, establish sufficient cause for the inordinate delay. Furthermore, the submitted medical certificates - dating from 2017, 2021, and 2023 - fail to explain the period immediately following the Deputy Commissioner's 2014 order. Consequently, the petitioner cannot rely on these medical records to justify the delay.

The plea raised on behalf of the petitioner, therefore, does not merit acceptance. In the absence of any satisfactory explanation for the delay, this Court is of the view that the writ



CNR: KAHC010243512023

**NC: 2026:KHC:51794  
WP No. 10641 of 2023**

petition is liable to be dismissed on the ground of delay and laches.

Accordingly, the writ petition stands dismissed on the ground of delay and laches. Since the writ petition is being dismissed solely on the ground of delay and laches, this Court has not examined the merits of the case.

Consequently, the interim order, if any, granted in the writ petition stands discharged. Pending interlocutory applications, if any, also stand disposed of.

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

SJK  
List No.: 1 Sl No.: 43