



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO. 13632 OF 2024 (LR)

BETWEEN:

1. SRI. D. GANGADHAR
S/O LATE DODDKEMPANNA
AGED ABOUT 65 YEARS
R/AT NAGADASANAHALLI
YELAHANKA/JALA HOBLI
YELAHANKA TALUK
BENGALURU DISTRICT.

...PETITIONER

(BY SRI. VISHWANATH N., ADVOCATE)

AND:

1. KARNATAKA APPELLATE TRIBUNAL
M S BUILDING NEAR
VIDHANA SOUDHA
DR. B.R. AMBEDKAR ROAD
BENGALURU-560001
REPRESENTED BY ITS
ADMINISTRATIVE OFFICER.
2. ADDITIONAL DEPUTY COMMISSIONER
BENGALURU URBAN DISTRICT AND
COMPETENT OFFICER FOR DISPOSAL OF 7(A)
APPLICATIONS, OFFICE OF
THE DEPUTY COMMISSIONER
K G ROAD,

Digitally signed by
CHAYAS A
Location: HIGH
COURT OF
KARNATAKA



BENGALURU-560009.

3. SRI. H.A. VIJAYKUMAR
S/O LATE H.G. ANANDA RAO
R/AT NO.1, 4TH MAIN ROAD
HEBBALA,
BENGALURU -560024.

4. SMT. M.R. MEERA
W/O H.A. VIJAYAKUMAR
R/AT NO.1, 4TH MAIN ROAD
HEBBALA,
BENGALURU -560024.

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA FOR R1 AND R2;
SRI.H.A. VIJAYKUMAR, R3-PARTY-IN-PERSON, APPEARING ON
BEHALF OF R4 ALSO)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE IMPUGNED ORDERS DATED 24.01.2024 PASSED
BY THE RESPONDENT NO.1 IN REV. APPEAL NO.339/2022 VIDE
ANNEXURE-A AND ORDER DAED 02.06.2022 IN LRF (7A)
CR/179/1999-2000 PASSED BY THE ADDITIONAL DEPUTY
COMMISSIONER/AUTHORIZED OFFICER FOR DISPOSAL OF 7A
APPLICATION, BENGALURU URBAN DISTRICT VIDE
ANNEXURE-N AND ALLOW THE APPLICATION FILED BY THE
PETITIONER IN FORM 7(A) IN LRF(7A)CR/179/1999-2000.

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



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

ORAL ORDER

1. In this Writ Petition, the petitioner is assailing the order dated 24.01.2024 in Appeal No.339/2022 on the file of Karnataka Appellate Tribunal (Annexure-A), Bengaluru, and the order dated 02.06.2022 in case No.LRF(7A)CR/179/1999-2000, passed by respondent No.2.

2. The relevant facts for adjudication of this Writ Petition are that father of the petitioner - Doddakempanna was a tenant under one H.G. Shamanna (landlord) in respect of the land bearing Sy.No.13 of Lakshmisagara village, Yelahanka Hobli, Bengaluru District, measuring 1 acre 28 guntas. It is also stated that brother of Doddakempanna - Chikkakempaiah was also a tenant to an extent of 3 acres 20 guntas. Chikkakempaiah had filed Form-7 and the Land Tribunal, Bengaluru North Taluk, has granted occupancy rights in favour of said Chikkakempaiah, as per the Order produced at Annexure-B. It is further stated that as the father of the petitioner was not available for the filing of Form-7 within the



time stipulated therein, and as such, the petitioner has filed Form-7A in the year 1999 (Annexure-C). It is also stated in the Writ Petition, that the respondent - authority, without considering the material on record has rejected the application in Form-7A filed by the petitioner, on 15.10.2004. Feeling aggrieved by the same, the petitioner had filed Appeal No.818/2005 on the file of Karnataka Appellate Tribunal, Bengaluru, and the Appellate Authority vide order dated 30.03.2016 (Annexure-F), allowed the appeal preferred by the petitioner and as such remitted the matter to the respondent - authority for fresh consideration. It is also stated in the Writ Petition that, at the instigation of respondent Nos.3 and 4, one Smt. Jayamma had preferred W.P.No.37253/2016 before this Court challenging the very same order dated 30.03.2016 passed by the Karnataka Appellate Tribunal. This Court, vide order dated 08.02.2019 (Annexure-H) disposed of the Writ Petition, remanding the matter to the respondent No.2 therein, to reconsider the matter afresh after affording opportunity of hearing to all the parties concerned. Pursuant to the same, case No.LRF(7A)CR/179/ 1999-2000 was registered before respondent No.2 and respondent No.2, by order dated



02.06.2022 (Annexure-N) rejected the application made by the petitioner herein and feeling aggrieved by the same, petitioner herein had preferred Rev. Appeal No.339/2022 before the Karnataka Appellate Tribunal. The Karnataka Appellate Tribunal, vide Order dated 24.01.2024 (Annexure-A), dismissed the appeal preferred by the petitioner herein and feeling aggrieved by the same, the petitioner has presented this Writ Petition.

3. Heard Sri. Vishwanath N., learned counsel appearing for the petitioner, Smt. B.P. Radha, learned Additional Government Advocate appearing on behalf of respondent Nos.1 and 2 and party-in-person - Sri. H.A. Vijay Kumar (respondent No.3 herein), appearing on behalf of respondent No.4 as well.

4. It is contended by the learned counsel appearing for the petitioner, that the finding recorded by the Karnataka Appellate Tribunal without following the Rules governing the Karnataka Land Reforms Act, 1961 (for short, the Act). He further argued that both the authorities have committed an error in arriving at the conclusion without considering the RTC extracts for the relevant year and therefore, sought for interference of this



Court. It is also argued by the learned counsel appearing for the petitioner that the land in question is part of the joint family property of the petitioner, his siblings and the father of the petitioner, and therefore, the finding recorded by the Tribunal requires interference of this Court.

5. It is argued by the learned counsel appearing for the petitioner by referring to RTC extracts at Annexure-E series, that perusal of the same would indicate that name of one Smt.Jayamma has been inserted as cultivating the land in question and in that view of the matter, submitted that there was no vesting of the land with the State as on the relevant date i.e., 01.03.1974, and therefore, sought for interference of this Court.

6. Per contra, party-in-person - Sri. H.A. Vijay Kumar (respondent No.3 appearing on behalf of respondent No.4 as well), referred to the provisions contained in S.77-A(1)(i) to (iii) and contended that, since the petitioner herein had sufficient land of more than 2 acres of 'D Class' land as on the date of making the application and therefore, the petitioner is not entitled for grant of land under Section 77A of the Act. In



this regard, Sri. H.A. Vijay Kumar - party in person, referred to M.R.No.17/95-96 wherein the extent of land allotted in favour of the petitioner herein exceeds 5 acres and also he referred to the compromise entered between the parties in O.S.No.898/2005 on the file of Principal Civil Judge (Sr.Dn.), Bengaluru (Annexure-R13) which stipulates that the petitioner has got more than 5 acres of land and therefore, sought for dismissal of the Writ Petition.

7 Smt. B.P. Radha, Learned Additional Government Advocate appearing for respondent Nos.1 and 2, sought to justify the impugned order.

8. In the light of the submissions made by the learned counsel appearing for the parties, on careful consideration of the finding recorded by the Karnataka Appellate Tribunal at Annexure-A and the impugned order at Annexure-N dated 02.06.2022, wherein, both authorities, after considering the material on record, have arrived at the conclusion that the petitioner herein had 1.08 guntas in Sy.No.14/1, 2 acres 11 guntas in Sy.No.15/13, 1 acre 6 guntas in Sy.No.15/14, 36 guntas in Sy.No.17/12 and 26 guntas in Sy.No.42/2 of



Nagadasanahalli Village, totally the extent of land owned by the petitioner was 6 acres 7 guntas as on the date of making the application. In that view of the matter, taking into consideration the language employed in S.77-A of the Act, I am of the view that, there is no acceptable ground to interfere with the finding recorded by both the authorities and therefore, the Writ Petition is liable to be dismissed.

9. It is also to be noted that, as the petitioner herein has failed to produce the relevant documents as required under Section 44 of the Act and therefore, I am of the view that, no interference is called for in this Writ Petition. Accordingly, the Writ Petition is dismissed.

SD/-
(E.S.INDIRESH)
JUDGE

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List No.: 1 Sl No.: 80