



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 11701 OF 2026 (KLR-RES)

BETWEEN:

SRI.RAHAMATH KHAN
S/O KASIM KHAN,
AGED ABOUT 74 YEARS,
R/A BUDUMANAHALLI VILLAGE,
ARAKERE POST,
HESARGATTA HOBLI,
YELAHANKA TALUK,
BENGALURU NORTH TALUK,
BENGALURU 560064.

...PETITIONER

(BY SRI. GANESHA P., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF REVENUE,
M.S. BUILDING, DR. AMBEDKAR VEEDHI,
BENGALURU 560 001.
REPRESENTED BY ITS
PRINCIPAL SECRETARY.
2. THE ASSISTANT COMMISSIONER,
BENGALURU NORTH SUB-DIVISION,
KANDAYA BHAVANA, K.G. ROAD,
BENGALURU 560 009.
3. THE COMMITTEE FOR REGULARIZATION
OF UNAUTHORIZED OCCUPATION,



YELAHANKA TALUK
REPRESENTED BY ITS
CHAIRMAN/SECRETARY.

4. THE TAHSILDAR
YELAHANKA TALUK,
YELAHANKA,
BENGALURU NORTH TALUK,
BENGALURU - 560 064.

...RESPONDENTS

(BY SRI. S.R.KHAMROZ KHAN, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ARBITRARY AND ILLEGAL PROCEEDINGS INITIATED UNDER RULE 108-K OF THE KARNATAKA LAND REVENUE RULES, 1966, BEARING DISPUTE NO.L.N.D./H/CR/21/2023-24, VIDE ANNEX-H PENDING ON THE FILE OF THE RESPONDENT AUTHORITIES, IN SO FAR AS IT RELATES TO THE PETITIONERS SCHEDULE PROPERTY BEARING SY.NO.09, MEASURING 01 ACRE 05 GUNTAS, BUDUMANAHALLI VILLAGE, HESARAGATTA HOBLI, YELAHANKA TALUK 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

Learned Additional Government Advocate takes notice for all the respondents.



2. Earlier, the petitioner was before this Court in W.P.No.10881/2023, seeking directions to the Tahsildar, Yelahanka Taluk, to issue Saguvali Chit pursuant to the resolution/order passed by the Committee for Regularisation of Unauthorised Occupation on 07.09.2002, to grant 1 Acre 05 Guntas of land to the petitioner in Survey No.9 of Budamanahalli Village, Hesaraghatta Hobli, Bengaluru North Taluk. This Court, by order dated 30.05.2023 reserved liberty to the petitioner to file a fresh representation for issuance of Saguvali Chit and the Tahsildar was directed to consider such a representation and pass necessary orders within a period of eight weeks. When the Tahsildar did not comply with the directions issued by this Court, the petitioner filed a contempt petition in CCC No.1279/2024. During the course of the contempt proceedings, the impugned endorsement at Annexure-H dated 15.10.2024 was issued by the Tahsildar and accordingly the contempt proceedings were dropped. Accordingly, the present writ petition is filed questioning



the impugned endorsement issued by the respondent-Tahsildar rejecting the request made by the petitioner for issuance of Saguvali Chit.

3. Learned Counsel for the petitioner submits that in the impugned endorsement, the Tahsildar has accepted the fact that a resolution was passed by the committee to grant lands in favour of the petitioner. However, the request for issuance of Saguvali Chit has been rejected by the Tahsildar on the ground that the land in question falls within the prohibited distance from the boundary of the Bruhat Bangalore Mahanagara Palike.

4. Learned Counsel for the petitioner submits that this Court has held in the case of ***Ashwathappa and others Vs. State of Karnataka and others*** in ***W.P.No.2411/2022*** disposed of on ***18.02.2022*** that the application for regularisation of unauthorised occupation is required to be considered as on the date of the application and not subsequently when the application is taken up for



consideration. Nevertheless, in the present matter, it is clear that the Committee has passed a resolution granting 1 Acre 05 Guntas of land in favour of the petitioner. Therefore, the Tahsildar could not have issued the impugned Endorsement.

5. There is substance in the submissions made by the learned counsel for petitioner.

6. Once the Committee has decided to grant the lands in favour of the petitioner, it is the duty of the Tahsildar to proceed to collect the *kimmat* and issue Saguvali Chit in favour of the petitioner. On the other hand, if the Tahsildar was aggrieved of the decision taken by the Committee, then the Tahsildar should have filed an appeal before the Assistant Commissioner questioning the decision of the Committee. That not having been done, the Tahsildar could not have rejected the application given by the petitioner for issuance of Saguvali Chit.



7. Accordingly, the writ petition is ***allowed***. The impugned Endorsement at Annexure - H dated 15.10.2024 issued by the respondent-Tahsildar, Yelahanka Taluk is hereby quashed and set aside. The Tahsildar is directed to collect the *kimmat* from the petitioner and proceed to issue Saguvali Chit in favour of the petitioner as expeditiously as possible and at any rate within a period of two [2] months from the date of receipt of a copy of this order. After issuance of the Saguvali Chit, the name of the petitioner shall also be entered in the revenue records.

Ordered accordingly.

8. Learned Additional Government Advocate is permitted to file memo of appearance within a period of four weeks from today.

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