



CNR: KAHC010262112025

NC: 2026:KHC:49646
WP NO.12168 OF 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF SEPTEMBER, 2026

BEFORE

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

WRIT PETITION NO.12168 OF 2025 (KLR-RES)

BETWEEN:

SRI. MURTHY H.G.
S/O LATE GOWDALAH,
AGED ABOUT 43 YEARS,
R/AT HEMAGIRIPALAYA,
GANGAONAHALLI POST,
THIPPASANDRA HOBLI,
MAGADI TALUK,
RAMANAGARA DISTRICT - 572 120.

...PETITIONER

(BY SRI. PUNITH C., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY.
REVENUE DEPARTMENT,
M.S. BUILDING,
BENGALURU - 560 001.
2. THE TAHSILDAR,
KUNIGAL TALUK,
TUMAKURU DISTRICT - 572 130.
3. THE TALUK SURVEYOR
KOTHAGERE HOBLI,
KUNIGAL TALUK,
TUMAKURU DISTRICT - 572 130.
4. THE REVENUE INSPECTOR
KOTHAGERE HOBLI,

Digitally signed by
CHAYA S A
Location: HIGH
COURT OF
KARNATAKA



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KUNIGAL TALUK,
TUMAKURU DISTRICT – 572 130.

...RESPONDENTS

(BY SRI. SHAMANTH NAIK, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE COMMUNICATION LETTER BEARING NO.NCR:CR:527/2024-25 DATED 04TH APRIL, 2025 ISSUED BY THE RESPONDENT NO.2 VIDE ANNEXURE-F INsofar AS IT RELATES TO THE PETITIONER IS CONCERNED; AND ETC.

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

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

ORAL ORDER

In this petition, the petitioner is challenging the Communication letter bearing No.NCR:CR:527/2024-25 dated 04th April, 2025 (Annexure-F) issued by the respondent No.2 in respect of the petitioner.

2. Heard Sri. Punith C., learned counsel appearing for the petitioner and Sri. Shamanth Naik, learned Additional Government Advocate appearing for respondents.

3. Having heard the learned counsel appearing for the parties, on perusal of writ papers particularly the Annexure-D,



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it is forthcoming that the Co-ordinate Bench of this Court, by order dated 10th January, 2025 in Writ Petition No.177 of 2025 filed by the petitioner, at paragraph 5 held as under:

"5. However, a significant aspect that cannot be overlooked is that the impugned notice, as per Annexure-C, has not been issued against the petitioner himself but rather against the petitioner's vendor. The petitioner asserts that he purchased the subject property in the year 2024, and his name has been duly reflected in the Record of Rights (RTC). If the petitioner is indeed the lawful owner of the property as per the revenue records, then respondent No.2-Tahsildar is obligated to serve a fresh notice upon him and conduct a proper enquiry before taking any further action. The question regarding the existence of the cart road must be adjudicated based on all relevant public documents, including the village map, survey records, and revenue entries. Only after considering the documentary evidence in a fair and transparent manner should the competent authority pass an appropriate order in accordance with law."

4. Perusal of the aforementioned order would indicate that, this Court directed the respondent-Authorities to take action in the matter after conducting enquiry based on the



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public documents particularly, the Village Map, Survey Records and Revenue Entries. In that view of the matter, I find force in the submission made by learned counsel appearing for the petitioner that the impugned Communication letter dated 04th April, 2025 (Annexure-F) issued by the respondent No.2 is arbitrary and contrary to the order passed by this Court in the aforementioned writ petition. Therefore, I pass the following:

ORDER

- (i) Writ Petition ***allowed;***
- (ii) Impugned Communication letter bearing No.NCR:CR:527/2024-25 dated 04th April, 2025 (Annexure-F) issued by the respondent No.2 is hereby quashed;
- (iii) The respondent No.2-Tahsildar is directed to conduct enquiry, spot inspection and Survey of the subject land with the assistance of jurisdictional Assistant Director of Land Records in the presence of the petitioner as well as the impleading applicants in IA.1/2025 based on the Village Map, Survey Records, Revenue Entries and such other public documents and thereafter, take decision in the matter in accordance with law;



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- (iv) In order to avoid further delay in the matter, the respondent No.2 is directed to conduct spot inspection and survey of the subject land on ***19th October, 2026 at 11.00 am;***
- (v) It is made clear that, till the conclusion of the entire exercise by the respondent No.2 as stated above, the respondent-Authorities shall not take any coercive steps against the petitioner;
- (vi) In view, of disposal of the writ petition, application IA.1 of 2025 filed for impleading does not survive for consideration and accordingly, same stands disposed of.

**Sd/-
(E.S. INDIRESH)
JUDGE**

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List No.: 1 Sl No.: 16