



CNR: KAHC010273372026

NC: 2026:KHC:52238
WP No. 12365 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 12365 OF 2026 (GM-KEB)

BETWEEN:

1. RAMESH C.,
S/O LATE A CHINNAPPA,
AGED ABOUT 54 YEARS
2. SRI S.N.ANJANAPPA
S/O NANJAPPA
AGED ABOUT 65 YEARS
3. SRI.VEERAPPA
S/O LATE KURKI RAMAIAH
AGED ABOUT 59 YEARS
4. SMT. ANUSUYA
D/O GANGAPPA
AGED ABOUT 48 YEARS
5. SMT. PILLAMMA
W/O VENKATARAMANAPPA
AGED ABOUT 61 YEARS

ALL ARE RESIDENTS OF
SULIKUNTE VILLAGE,
VARTHUR HOBLI,
BENGALURU EAST TALUK,
BENGALURU-562 125

...PETITIONERS

(BY SRI. RAKESH B BHATT, ADVOCATE)



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AND:

1. STATE OF KARNATAKA
DEPARTMENT OF REVENUE
VIKASA SOUDHA, DR. AMBEDKAR ROAD,
BENGALURU-560 001
REP.BY THE PRINCIPAL SECRETARY
2. DEPUTY COMMISSIONER,
BENGALURU URBAN DISTRICT,
BENGALURU-560 009
3. TAHASILDAR
BENGALURU EAST TALUK
SUB TREASURY OFFICE,
BANGALORE EAST,
K.R. PURAM,
BANGALORE – 560 036
4. KARNATAKA POWER TRANSMISSION
CORPORATION LTD. (KPTCL),
REG. UNDER THE COMPANIES ACT,
PROJECT 400 KV S.S.C.DIVISION,
HEBBAL,
BENGALURU-560 024
REP. BY ITS EXECUTIVE ENGINEER

...RESPONDENTS

(BY SRI.PRAKASH MALLAPPA GANIGER, AGA FOR R1 TO R3
SRI.S.SRIRANGA, SENIOR COUNSEL FOR
SRI.H.V.DEVARAJU, ADVOCATE FOR R4)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER WRIT OR ORDER AND QUASH ORDER DATED 26.03.2026 PASSED BY THE DEPUTY COMMISSIONER, BENGALURU URBAN DISTRICT I.E., RESPONDENT NO.2, IN PROCEEDINGS BEARING NO. MAG (4) MIS/CR/36/2025-26 (ANNEXURE-K).



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THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed seeking the following prayer:

- a) Issue a writ of certiorari or any other writ or order and quash Order dated 26.03.2026, passed by the Deputy Commissioner, Bengaluru Urban District i.e., Respondent No.2, in proceedings bearing No. MAG (4) MIS/CR/36/2025-26 (ANNEXURE K)***
- b) Issue a writ of Certiorari or any other writ or order and quash the Official Memorandum bearing No. ND(SA) CR 163/00-01 dated 10.12.2008 issued by 2nd Respondent (ANNEXURE G) in so far as schedule property of the Petitioners***
- c) Issue a writ of Certiorari or any other writ or order and quash the sketch prepared by 3rd Respondent (ANNEXURE H & H1)***
- d) Direct Respondent No.4 to consider feasibility of modifying the alignment of the proposed transmission line and connect AP 25 tower with AP 22 using the land of 1st Respondent which is on the western side Sy.No 122 as shown in Sketch (ANNEXURE L&L1)***
- e) Pass any other order or direction that this Hon'ble Court may deem fit in the interests of iustice and equity.***



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2. It is the case of the petitioner that his father, late A. Chinnappa, was in unauthorized occupation of 18 guntas of land in Sy.No.122 and another 18 guntas in Sy.No.123 of Sulikunte Village, Varthur Hobli, Bangalore East Taluk. Both were adjacent to each other and formed a single block. The Deputy Commissioner, vide order dated 18.01.1979, granted 18 guntas of land in Sy.No.122 and another 18 guntas of land in Sy.No.123. After the death of the father/late A.Chinnappa, the name of the petitioner No.1 was entered into the revenue records. Petitioner Nos.2, 3 and 4 also were granted by the Deputy Commissioner vide order dated 18.01.1979 i.e., 18 guntas of land in Sy.No.122 and another 18 guntas of land in Sy.No.123. In respect of petitioner No.5, the Deputy Commissioner vide order dated 18.01.1979 had granted 18 guntas of land in Sy.No.122 and another 18 guntas of land in Sy.No.123 and after the death of her husband, she has sought for change in the revenue records which is still under process. It is the contention of the petitioners that they are in possession of the property. Though sale deeds were executed, later proceedings under PTCL Act were initiated at the behest of petitioners and the sale deeds were declared as null and void.



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Thereafter they filed application before the Tahsildar seeking conducting of Survey Phodi. However the same came to rejected and it was challenged before the Special Deputy Commissioner, Bangalore Urban District. After considering all the documents the Special Deputy Commissioner by Order dated 19.09.2016 was pleased to direct Tahsildar to conduct the Phodi proceedings. Thereafter the Missing Records Committee by order dated 02.02.2024 directed to rebuild the file and also directed the Assistant Commissioner to order for conducting phodi proceedings. Further, the Assistant Commissioner, by the Official Memorandum dated 02.07.2024, ordered the phodi of the scheduled property. It is the case of the petitioner that while the things stood thus, all of a sudden respondent No.4 started interfering with possession of the petitioner No.1 property in the year 2025. Petitioner, without knowing much about the plans of respondent No.4, initially filed a suit for injunction OS.No.2092/2025 on the file of the Civil Judge and JMFC at K.R. Puram. Later the petitioner's was satisfied that respondent No.4 would not take the law into their own hands and on legal advice, withdrew the suit and petitioner No.1 and whose line the respondent No.4 stated that they will



erect an electricity tower filed WP.No.22997/2025 and connected matters seeking for modification of alignment. The coordinate Bench of this court by order dated 31.07.2025 directed the District Magistrate/respondent No.2 to treat the petition as objection and petitioner No.1 as objector and decide the same under Section 16 of the Telegraph Act. Thereafter the respondent has filed a petition before the respondent No.2 under Section 16 of the Telegraph Act and for the first time filed a memo dated 12.12.2025 along with various documents and sketch claiming ownership on the said property. The respondent No.2 without considering the objections filed by the petitioner, proceeded to pass orders allowing the petition filed by the respondent No.4. It is a case that as per the proposed scheme of construction of 400KV LILO line from existing 400 KV Somanahalli Kolar (PGCIL) SC Line to the proposed 400/200KV Dommasanda Sub-station using twin Moose ACSR conductor for a distance of 0.820 kms. The purpose of installing the tower in Petitioner property is to connect two towers, AP-25 and AP-22. However, the respondent No.3 intentionally not considering the fact that towards the western portion of proposed tower AP-25, there is a road and thereafter balance



gomala land of the government. The respondent No.3 can erect the tower in the balance gomala land in Sy.No.122 which is on the western portion of the road and the same would cover lesser distance necessitating less infrastructure as it is the contention of the petitioner that the respondents cannot erect the towers in the land of the petitioner.

3. When the matter came up before a Co-ordinate Bench of this Court on 17.04.2026, has passed the following order:

"Sri. D.R.Ravishankar, learned Senior Counsel appearing for the petitioners submits that the proposed scheme of construction of 400kV LILO line from existing 400kV Sommanahalli Kolar (PGCIL) SC line is proposed to be drawn through the petitioners' land, particularly at location AP-24, despite the lands having been granted in their favour in the year 1979. it is submitted that respondent No.4-KPTCL is wrongly claiming land and proceeding with installation of towers. It is submitted that despite ongoing phodi proceeding as directed by the competent authorities, the respondents are proceeding with the installation of towers."

Having regard to the submission made, and the material on record, respondent No.4 is directed not to take any precipitative or coercive action in respect of the petitioners suit schedule property in so far as Ap-24 is concerned, till the next date of hearing.

Learned Addl. Government Advocate to place records relating to the petitioners land.



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4. The respondents have filed the vacate petition. Learned Senior Counsel representing the Counsel appearing for respondent No.4 submits that the respondents are erecting the towers in the land which is granted to the respondents and even in the revenue records also, the respondent's name is mutated. It is the submission of the Senior Counsel that as of now, they are claiming the land in Sy.No.122 and Sy.No.123. It is also an admitted fact that Sy.No.122 and Sy.No.123 no phodi is conducted as on today. Hence, the petitioner cannot assertively say that the respondents are going to erect the towers in their land. It is submitted that, in the light of the interim order granted by the Co-ordinate Bench of this Court, they are not in a position to go ahead with further work, and in view of that, they are not operational. Hence the stay granted by this Court may be vacated.

5. Learned AGA representing the respondent Nos.1 to 3 submits that in fact, no phodi was conducted. When they wanted to conduct the phodi, the grant documents were not clear and the same was communicated to the Deputy Commissioner. When the matter came up on the last occasion



on 21.09.2026, the concerned ADLR was present before the court, he submitted that no phodi was conducted till now. Learned counsel for the petitioner had submitted that they have conducted the phodi. Hence this court has directed the respondents to place the records which the petitioner is referring to.

6. Today, Learned AGA produced the documents before the court. It is submitted that the physical file has not been produced before the court, and the said documents were taken from the revenue department's website. It is submitted that phodi is not conducted. Learned counsel for the petitioner submits that, in fact, the Phodi was conducted. Only the said report has to be approved by the concerned.

7. Having heard the counsel for the petitioner, Learned AGA, and the Learned Senior Counsel for the Respondent, perused the entire material on record. The petitioner claiming the land in Sy.No.122, and the respondents are also claiming the land in Sy.No.122. So far, the respondents have erected towers AP-21 and AP-22. According to the Senior Counsel for



the Respondent, the A23 tower is under construction. According to the petitioner, it has not been constructed. They now need to connect AP-23 to AP-25. The entire land of Sy.No.122 covers a vast extent of 30 acres. Different individuals were granted grants. Unless and until the phodi is conducted, it cannot be identified which land belongs to whom. For that purpose, as this grant is way back in the year 1979 and thereafter, in the year 2016 there was a direction to conduct the phodi; even now, the phodi has not been conducted. Unless and until the phodi is conducted, all issues regarding the Petitioner's entitlement cannot be considered. Till such time, the court cannot stop work of laying the towers, which is in the larger interest of the public. Hence, in the considered opinion of the court at this juncture, the petitioner cannot stop the activities undertaken by the respondents. However, the interest of the petitioner also needs to be balanced at the same time.

8. In that view of the matter, this court is passing the following:



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ORDER

- i. Accordingly, the writ petition is ***disposed of***, observing that if, after the phodi is conducted, the property where the towers are erected belongs to the petitioners, the respondents shall pay the compensation to the petitioners at the market value as on that day.
- ii. This court has not expressed any opinion on the merits regarding the title of either the petitioner or Respondent No.4. The question remains open for the parties to raise before the appropriate forum.
- iii. Pending IAs., in this petition shall stand closed.

**SD/-
(LALITHA KANNEGANTI)
JUDGE**

TS
List No.: 1 Sl No.: 79
*MR