



CNR: KAHC010283242026

NC: 2026:KHC:52571
WP No. 12770 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 12770 OF 2026 (SCST-)

BETWEEN:

MUNIVENKATAPPA
S/O CHIKKSAMUNIYAPPA,
AGED ABOUT 59 YEARS,
R/AT HIREKARAPANAHALLI,
KASABA HOBLI,
BANGARPET TALUK
KOLAR DISTRICT - 563114

...PETITIONER

(BY SRI. NAVEEN KUMAR, ADVOCATE FOR;
SRI. A MADHUSUDHANA RAO.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
REVENUE DEPARTMENT
M.S.BUILDINGS,
BANGALORE-560 001
2. THE DEPUTY COMMISSIONER,
KOLAR DISTRICT,
KOLAR 563101
3. THE ASSISTANT COMMISSIONER
KOLAR SUB-DIVISION,
KOLAR 563101



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4. THE THASILDAR,
BANGARPET TALUK,
KOLAR 563 114
5. SEENAPPA,
S/O LATE GURAPPA,
AGED MAJOR,
R/AT HIREKARAPANAHALLI,
KASABA HOBLI,
BANGARPET TALUK
KOLAR DISTRICT 563114

...RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 TO R4;
R5 SERVED & UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.

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

ORAL ORDER

Sri.Naveen Kumar., counsel on behalf of
Sri.A.Madhusudhana Rao., for the petitioner and
Smt.Savithramma., Additional Government Advocate for
respondent Nos.1 to 4, 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 writ petition on several grounds as set out in the memorandum of the writ petition.

3. Counsel for the respective parties advanced several contentions.

AGA submits that as there was a violation of provisions of PTCL Act, the resumption is justified. Urging additional grounds, she submits that the petition lacks merit and the same may be dismissed.

4. The Court heard the arguments and carefully perused the papers.

5. This issue is limited to resumption proceedings. The land in question, Old Sy.No.65, New Sy.No.117, spans 2 acres. It was granted to Sri.Sanjeevappa, in the year 1950. The petitioner purchased the subject land in 1998.

Nearly 20 years after the sale, in 2018, the resumption proceedings were initiated under Section 5 of the Act before the Assistant Commissioner, seeking resumption of the land. The Assistant Commissioner allowed the claim. Against which, an



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appeal was preferred before the Deputy Commissioner and the Deputy Commissioner confirmed the order. However, both the Assistant and Deputy Commissioners overlooked the nearly 20-year delay in initiating these proceedings. They failed to consider the issue of laches or the petitioner's claim that the proceedings were commenced after an unreasonable delay. The authorities should have evaluated whether to proceed after nearly 20 years, especially since the rights in the land were settled by the sale deed in 1998. The oversight in considering the delay and laches led to orders for land resumption being issued without adequately addressing a crucial and relevant issue.

The Division Bench clarified that laches should be regarded as the primary requirement when resuming lands. It also held that if restoration action is filed after a significant delay, it could be barred by laches.

In the facts and circumstances of the case, this Court is of the considered view that the orders passed by the Assistant Commissioner and confirmed by the Deputy Commissioner, directing resumption of the subject land, cannot be legally



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sustained. Accordingly, the impugned orders are liable to be set aside.

6. For the foregoing reasons, the orders of the Assistant Commissioner and the Deputy Commissioner are liable to be set aside.

7. The writ of certiorari is ordered. The order dated 24.12.2025 passed by the Assistant Commissioner vide Annexure-M and the order dated 31.03.2026 passed by the Deputy Commissioner vide Annexure-Q is quashed. As this Court has quashed the order, the authority concerned is hereby directed to restore the petitioner's name in the subject land in the revenue records.

8. Resultantly, the writ petition is ***allowed***.

On disposal of the Writ Petition, any interim order stands discharged, and any pending interlocutory applications, if any, are disposed of.

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

SJK
List No.: 1 Sl No.: 49