



CNR: KAHC010314342026

NC: 2026:KHC:54145
WP No. 14544 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 14544 OF 2026 (SC/ST)

BETWEEN:

1. CHANNEGOWDA
S/O LATE. MUDDEGOWDA,
AGED ABOUT 70 YEARS,
RESIDENT OF BARADANAHALLI VILLAGE,
KASABA HOBLI, KANAKAPURA TALUK,
BENGALURU SOUTH DISTRICT,
KARNATAKA - 562 117.
2. PUTTASWAMY
S/O LATE. MUDDEGOWDA,
AGED ABOUT 67 YEARS,
RESIDENT OF BARADANAHALLI VILLAGE,
KASABA HOBLI, KANAKAPURA TALUK,
BENGALURU SOUTH DISTRICT,
KARNATAKA - 562 117.
3. YASHODAMMA
C/O LATE. RAJU,
AGED ABOUT 58 YEARS,
RESIDENT OF BARADANAHALLI VILLAGE,
KASABA HOBLI, KANAKAPURA TALUK,
BENGALURU SOUTH DISTRICT,
KARNATAKA - 562 117.

...PETITIONERS

(BY SRI. PHANIRAJ KASHYAP, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,

Digitally signed by
PREMCHANDRA M R
Location: HIGH
COURT OF
KARNATAKA



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DEPARTMENT OF REVENUE,
M.S. BUILDING,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001.

2. THE DEPUTY COMMISSIONER,
BENGALURU SOUTH DISTRICT,
DISTRICT OFFICES COMPLEX,
RAMANAGARA - 562 159.
3. THE ASSISTANT COMMISSIONER,
RAMANAGARA SUB-DIVISION,
RAMANAGARA - 562 159.
4. THE TAHSILDAR
KANAKAPURA TALUK,
KANAKAPURA,
BENGALURU SOUTH DISTRICT - 562 117.
5. JAYAMMA
D/O CHIKKAVENKATABOVI,
RESIDENT OF SUNTARADODDI VILLAGE,
MARALAVADI HOBLI, HAROHALLI TALUK,
BENGALURU SOUTH DISTRICT - 562 121.
6. VENKATAPPA
S/O LATE. TIMABOVI,
AGED ABOUT 71 YEARS,
RESIDENT OF SUNTARADODDI VILLAGE,
MARALAVADI HOBLI, HAROHALLI TALUK,
BENGALURU SOUTH DISTRICT - 562 121.
7. VENKATAMMA
D/O LATE. TIMABOVI,
AGED ABOUT 71 YEARS,
RESIDENT OF SUNTARADODDI VILLAGE,
MARALAVADI HOBLI, HAROHALLI TALUK,
BENGALURU SOUTH DISTRICT - 562 121.



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8. TIMMAMMA
D/O LATE. TIMABOVI,
AGED ABOUT 65 YEARS,
RESIDENT OF SUNTARADODDI VILLAGE,
MARALAVADI HOBLI, HAROHALLI TALUK,
BENGALURU SOUTH DISTRICT - 562 121.
9. GOVINDAPPA
S/O LATE. TIMABOVI,
AGED ABOUT 65 YEARS,
RESIDENT OF SUNTARADODDI VILLAGE,
MARALAVADI HOBLI, HAROHALLI TALUK,
BENGALURU SOUTH DISTRICT - 562 121.
10. MUNIRAMU
S/O LATE. TIMABOVI,
AGED ABOUT 61 YEARS,
RESIDENT OF SUNTARADODDI VILLAGE,
MARALAVADI HOBLI, HAROHALLI TALUK,
BENGALURU SOUTH DISTRICT - 562 121.
11. JAYAMMA
D/O LATE. TIMABOVI,
AGED ABOUT 65 YEARS,
RESIDENT OF SUNTARADODDI VILLAGE,
MARALAVADI HOBLI, HAROHALLI TALUK,
BENGALURU SOUTH DISTRICT - 562 121.

...RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 TO R4;
SRI. SUSHEELA S., SENIOR ADVOCATE A/W
SRI. VINAY KUMAR T. P., ADVOCATE FOR
SRI. T. M., CHOWDA REDDY, ADVOCATE FOR R5 TO R11)

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



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THIS WRIT PETITION IS LISTED FOR ORDERS, THIS DAY,
AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.Phaniraj Kashyap., counsel appearing for the petitioners, Smt.Savithramma., AGA., appearing for respondent Nos.1 to 4 and Smt.Susheela.S., Senior counsel along with Sri.Vinay Kumar.T.P., counsel appearing on behalf of Sri.T.M.Chowda Reddy., for respondent Nos.5 to 11 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.

Counsel appearing for the petitioners, in the course of his submissions, strenuously contended that the subject



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land was originally granted to Sri. Chikkavenkatabovi during the year 1933-34 and that the family of the original grantee dealt with the property by alienating the same in 1977. However, the resumption proceedings were initiated only in 2024, after a considerable lapse of 47 years from the date of the alienation. It is contended that the Assistant Commissioner and the Deputy Commissioner failed to take into consideration the substantial delay and laches in initiating the resumption proceedings and have erroneously allowed the claim. Urging additional grounds, counsel submits that the impugned orders are liable to be quashed and the writ petition deserves to be allowed.

The Additional Government Advocate submits that appropriate orders may be passed in accordance with law.

Senior Counsel appearing for respondent Nos.5 to 11 submits that a detailed statement of objections has been filed and the same may be taken into consideration. It is contended that, even assuming that the family of the



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original grantee had alienated the subject property in 1977, the revenue entries continued to stand in the names of the legal heirs of the grantee's family. It is further submitted that neither the original grantee nor the members of his family had executed any sale deed in favor of the alleged purchaser and that the sale deed relied upon by the petitioners is forged, fabricated and void ab initio.

Senior Counsel further contends that the delay and laches cannot, in the facts and circumstances of the present case, defeat the application filed by respondent Nos.5 to 11 before the Assistant Commissioner. It is submitted that the judicial pronouncements dealing with delay and laches in proceedings initiated under the PTCL Act are distinguishable and would not apply to the peculiar facts and circumstances of the present case. Urging additional grounds, Senior Counsel prays that the writ petition be dismissed.



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

5. The issue involved in the present proceedings lies within a narrow compass and pertains to the resumption proceedings initiated by the family of the original grantee. Suffice it to note that the subject land was originally granted to one Sri. Chikkavenkatabovi in 1933-34. After the death of the original grantee, his family dealt with the subject property and, under a registered sale deed, alienated the same in 1977. However, the resumption proceedings were initiated only in 2024, after an inordinate delay of 47 years from the date of the alienation.

The Assistant Commissioner and the Deputy Commissioner failed to take into consideration the substantial delay and laches in initiating the resumption proceedings and have erroneously allowed the claim. Such



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an approach cannot be sustained in law. The reason is apparent from the undisputed chronology of events.

The Division Bench has clarified that delay and laches constitute a primary consideration in proceedings seeking resumption of granted lands. It has further held that where proceedings for restoration are initiated after a significant and unexplained delay, the claim may be defeated on the ground of delay and laches.

The contention advanced on behalf of the private respondents that the principles relating to delay and laches would not apply having regard to the peculiar facts and circumstances of the present case cannot be accepted. The further contention that the sale deed was not executed by the original grantee or his legal heirs and that the alleged sale is null and void also involves disputed questions of fact, which cannot appropriately be adjudicated in exercise of the writ jurisdiction of this Court. In any event, the undisputed fact remains that



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there is an inordinate delay of 47 years in initiating the resumption proceedings.

In view of the aforesaid facts and circumstances, 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 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 15.12.2025 passed by the Assistant Commissioner vide Annexure-B, and the order dated 02.04.2026 passed by the Deputy Commissioner vide Annexure-A are quashed. As this Court has quashed the orders, the authority concerned is hereby directed to restore the



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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

CH
List No.: 1 Sl No.: 19