



CNR: KAHC010355732023

NC: 2026:KHC:44726
WP No. 15058 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

WRIT PETITION NO. 15058 OF 2023 (GM-FOR)

BETWEEN:

SUBBANNA
S/O VENKATARAYAPPA,
AGED ABOUT 55 YEARS,
R/A KOTHURU VILLAGE,
PATHAPALYA HOBLI, - 561212,
CHELUR TALUK,
CHIKKABALLAPUR DISTRICT.

...PETITIONER

(BY SRI. CHETHAN A C, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP BY ITS PRINCIPAL SECRETARY,
FOREST DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU- 560001
2. THE APPELLATE AUTHORITY AND CHIEF
CONSERVATOR OF FORESTS,
BANGALORE (TERRITORIAL)CIRCLE,
ARANYA BHAVAN,
MALLESHWARAM,
BENGALURU - 560003.
3. THE ASSISTANT CONSERVATOR OF FORESTS,
CHINTHAMANI SUB DIVISION,

Digitally signed
by SUMA B N
Location:
HIGH COURT
OF
KARNATAKA



CNR: KAHC010355732023

NC: 2026:KHC:44726
WP No. 15058 of 2023

CHINTHAMANI - 563125,
CHIKKABALLAPUR DISTRICT.

4. THE RANGE FOREST OFFICER
BAGEPALLI RANGE,
BAGEPALLI - 561207,
CHIKKABALLAPUR DISTRICT.

...RESPONDENTS

(BY SRI. SRINIVAS KUMAR M, HCGP)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DTD 17.1.2022 APPEAL NO.316/2018-19 PASSED BY THE R-2 DISMISSING THE APPEAL FILED BY THE PETITIONER U/S 64(A)(3) OF THE KARNATAKA FOREST ACT, 1963 (ANNX-A).

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

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

1. Petitioner claims to be in possession of 3 acres of land in Sy.No.44/1 of Gujjepalli Village, Pathapalya Hobli, Bagepalli Taluk, now Chelur Taluk, Chikkaballapur District, is before this Court seeking following reliefs:-

"1. Issue a writ of certiorari to quash the order dated 17.01.2022 in Appeal No.316/2018-19 passed by the second respondent dismissing the Appeal filed by the petitioner under section 64(A)(3) of the Karnataka Forest Act, 193 (Annexure A);

2. Issue a writ of certiorari to quash the order dated 31/12/2018 bearing No.CAC:



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C.U.V.Encroachment - CR - 30/2018-19 passed by the third respondent (Annexxexure B)"

2. Case of the petitioner is that the respondent - forest department is making claim in respect to the said land which has been in possession since the time of his forefathers. Upon an enquiry conducted, the Assistant Conservator of Forest vide order dated 31.12.2018 as per Annexure - B, has held that the petitioner had failed to justify his claim over the said land and has further held that the petitioner had encroached upon the said land. Consequently, directed the petitioner to vacate and hand over the vacant possession of the land.

3. As against which the petitioner had preferred an appeal before the Chief Conservator of Forest in Appeal No.316/2018-19. Said appeal came to be dismissed vide Order dated 17.01.2022 as per Annexure - A, confirming the order passed by the Assistant Conservator of Forest.

4. After hearing the respective counsel for the parties, on 14.08.2026, this Court had directed the counsel for the



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petitioner to furnish revenue records reflecting the name either of the petitioner or his father in respect of the subject land.

5. Learned counsel for the petitioner today on instruction submits that no such records are available to justify the claim of the petitioner. Hence, seeks for dismissal of the petition as not pressed. Hence, petition is ***dismissed.***

SD/-
(M.G.S. KAMAL)
JUDGE

Vmb
List No.: 1 Sl No.: 14