



CNR: KAHC010362952025

NC: 2026:KHC:52957
WP No. 17273 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 17273 OF 2025 (SC/ST)

BETWEEN:

SMT. PRABAVATHAMMA,
W/O. VENUGOPALA REDDY,
AGED ABOUT 49 YEARS,
R/AT KORENAHALLI VILLAGE,
MANDIKAL HOBLI,
CHIKKABALLAPURA
TALUK AND DISTRICT.

...PETITIONER

(BY SMT. SOWMYA SHRI, ADVOCATE FOR
SRI. R.V.SRINIVASA REDDY, ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER,
CHIKKABALLAPURA SUB - DIVISION,
CHIKKABALLAPURA - 562 101.
2. THE ASSISTANT COMMISSIONER
CHIKKABALLAPURA DISTRICT,
CHIKKABALLAPURA - 562 101.
3. SRI. VENKATARAMANA,
S/O. LATE GIDDAPPA,
R/AT KORENAHALLI VILLAGE,
MANDIKAL HOBLI, CHIKKABALLAPURA
TALUK AND DISTRICT - 562 104.

...RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 AND R2;
SRI. CHANDRASHEKAR C., ADVOCATE FOR
SRI. LOKESH K., ADVOCATE FOR R3)



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

THIS WRIT PETITION IS LISTED FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Smt.Sowmyashri., counsel on behalf of Sri.R.V.Srinivasa Reddy., for the petitioner; Smt.Savithramma., Additional Government Advocate for respondent Nos. 1 and 2, and Sri.Chandrashekar.C., counsel on behalf of Sri.Lokesh.K., for respondent No.3 appeared in person.

2. The petition is filed seeking a writ of certiorari to quash the order passed by the Deputy Commissioner. This order is challenged in this writ petition on several grounds as set out in the memorandum of the writ petition.



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3. Counsel for the respective parties advanced several contentions.

AGA and counsel for respondent No.3 submits that as there was a violation of provisions of PTCL Act, the resumption is justified. Urging additional grounds, they submit 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, Sy.No.404, new Sy.No.437 spans 3 acres. It was granted to Mr.Giddappa, in 1956-57. Later, the subject was in 1992 through a registered sale deed.

Nearly 14 years after the sale, in 2006, resumption proceedings were initiated before the Assistant Commissioner seeking resumption of the land. The Assistant Commissioner allowed the petition and ordered



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resumption of the land. Aggrieved by the said order, an appeal was preferred before the Deputy Commissioner, who upheld the order of the Assistant Commissioner.

Thereafter, a writ petition was filed before this Court, which confirmed the orders passed by the Assistant Commissioner and the Deputy Commissioner. A review petition was subsequently filed, but the same came to be dismissed. Hence, a writ appeal was preferred, and this Court remanded the matter to the Assistant Commissioner for fresh consideration.

Pursuant to the remand, the Assistant Commissioner dismissed the petition. Aggrieved by the same, an appeal was preferred before the Deputy Commissioner, who set aside the order of the Assistant Commissioner and remanded the matter for fresh consideration. However, while passing the said order, the Deputy Commissioner failed to consider the inordinate delay of nearly 14 years in initiating the resumption proceedings. The issue of laches,



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as well as the petitioner's contention that the proceedings had been initiated after an unreasonable and unexplained delay, was not duly considered.

The authority was required to examine whether the resumption proceedings could be entertained after such a long lapse of time, particularly when the rights in respect of the land had stood settled pursuant to the sale deed executed in 1992. The failure to consider the aspect of delay and laches resulted in the passing of the impugned order without addressing a material and relevant issue arising for consideration.

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 order passed by the



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Deputy Commissioner, cannot be legally sustained.
Accordingly, the impugned order is liable to be set aside.

6. For the foregoing reasons, the order of the Deputy Commissioner is liable to be set aside.

7. The writ of certiorari is ordered. The order dated 15.05.2025 passed by the Deputy Commissioner vide Annexure-J 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

MRP
List No.: 2 Sl No.: 35