



CNR: KAHC010373012026

NC: 2026:KHC:49801
WP No. 17071 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 17071 OF 2026 (SC/ST)

BETWEEN:

SRI. N.LINGE GOWDA,
S/O. LATE NANJE GOWDA,
AGED ABOUT 72 YEARS,
R/AT ARAHALLI VILLAGE,
KASABA HOBLI, KOLAR TALUK,
KOLAR-563102.

...PETITIONER

(BY SRI. RAMAIAH GOWDA L.M., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
M.S. BUILDING,
BENGALURU - 560001.
2. THE DEPUTY COMMISSIONER,
KOLAR SUB-DIVISION,
KOLAR - 563101.
3. THE ASSISTANT COMMISSIONER,
KOLAR SUB-DIVISION,
KOLAR - 563101.
4. THE TAHSILDAR,
KOLAR SUB-DIVISION,
KOLAR - 563101.

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



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5. SRI. RAJINIKATH G.H.,
S/O. LATE HANUMANTHAPPA,
AGED ABOUT 32 YEARS,
R/AT JANGAMAGURJENAHALLI VILLAGE,
SUGATUR HOBLI, KOLAR TALUK,
KOLAR-563104.

...RESPONDENTS

(BY SRI. SAVITHRAMMA, AGA FOR R1 TO R4;
R5 - SERVED AND UNREPRESENTED)

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

Sri. L.M.Ramaiah Gowda, counsel appearing on behalf of
the petitioner, and Smt. Savithramma, AGA appearing on
behalf of respondent Nos. 1 to 4, have appeared in person.

The emergent notice was issued to respondent No.5 on
06.07.2026. The Registry concerned provided the postal
tracking information, confirming that the notice was served on
respondent No.5. He has neither engaged an advocate nor
appeared as a party-in-person. Additionally, a review of the
daily cause list dated 01.09.2026 shows that respondent No.5



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has been served. Therefore, the Court proceeds to decide the case on its merits.

2. The petition is filed seeking the following relief:

"a. Issue a writ of certiorari, quashing the order dated 10/10/2025 passed by the respondent no.3 in case No.PTCL.No.38/2019 produced as Annexure-G, the order dated 09/03/2026 passed by the 2nd respondent in case Appeal PTCL.No.214/2025, produced as Annexure-H and allow this writ petition, to meet the ends of justice.

b. Issue any other writ, order or direction as this Hon'ble court deems fit to grant in the circumstances of the case, to meet the ends of justice."

3. The brief facts are these:

The property in question is Survey No. 55/P1, measuring 2 acres, situated in Yadahalli Village, Kasaba Hobli, Kolar Taluk. The said land was granted to Sri. Chikkasiddappa on 30.10.1984, and a saguvali chit was issued on 06.11.1984. The grantee, Sri. Chikkasiddappa, along with his two sons, sold the property to the petitioner on 03.11.2004.

The matter arose when Sri Rajinikath G.H., claiming to be the grandson of the original grantee, filed an application under



Section 5 of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 (the 'PTCL Act') for land resumption in 2019 before the Assistant Commissioner. The Assistant Commissioner approved the claim in an order dated 10.10.2025. An appeal was filed, and the Deputy Commissioner upheld the order in a decision dated 09.03.2026. Consequently, the petitioner has approached this Court and filed the present writ petition on multiple grounds as detailed in the petition.

4. Counsel for the petitioner and the Additional Government Advocate advanced several contentions.

The petitioner's counsel argues that the grantee and his sons sold the property to the petitioner in 2004. After nearly 15 years, an application for resumption was filed, but the delay indicates laches on the part of the applicant. He contends that the Assistant Commissioner and Deputy Commissioner did not consider the matter correctly. Therefore, he requests that the orders issued by them be overturned.



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Additional Government Advocate states that the appropriate orders may be passed.

5. Heard the arguments and perused the papers with utmost care.

6. The issue is limited and pertains to the resumption process. It is sufficient to state that the land was granted to Sri Chikkasiddappa, who, along with his two children, sold it to the petitioner in 2004. Interestingly, Sri Rajinikath G.H., claiming to be the grandson of the original grantee, filed an application under Section 5 of the PTCL Act for resumption of the land. The Assistant Commissioner accepted this application despite the delay of nearly 15 years. The Court observes that both the Assistant Commissioner and the Deputy Commissioner failed to consider key factors, particularly the applicant's inaction over the years, which should have influenced the decision.

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



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8. The writ of certiorari is ordered. The order dated 10.10.2025 passed by respondent No.3, the Assistant Commissioner, vide Annexure - G, and the order dated 09.03.2026 passed by respondent No.2, the Deputy Commissioner, vide Annexure - H to the writ petition, are hereby quashed.

9. 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.: 38