



CNR: KAHC010376022021

NC: 2026:KHC:54146
WP No. 7799 of 2022

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. 7799 OF 2022 (SC/ST)

BETWEEN:

THIPPAMMA
W/O LATE. RANGAPPA,
AGED ABOUT 75 YEARS,
BELAGERE,
PARASHURAMAPURA HOBLI,
CHALLAKERE TALUK,
CHITRADURGA DISTRICT - 577 522.

...PETITIONER

(BY SRI. B. M. SIDDAPPA, ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER,
CHITRADURGA DISTRICT,
CHITRADURGA - 577 501.
2. THE ASST. COMMISSIONER,
CHITRADURGA SUB-DIVISION,
CHITRADURGA - 577 501.
3. LAKSHMAKKA
W/O LATE. BETHOOR RANGAPPA,
AGED ABOUT 65 YEARS.
4. KARIYAMMA
W/O LATE. BETHOOR RANGAPPA,
AGED ABOUT 60 YEARS.

RESPONDENTS NO. 3 AND 4
R/O HULIKUNTE,



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PARASHURAMPURA HOBLI,
CHALLAKERE TALUK,
CHITRADURGA DISTRICT - 577 522.

...RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 & R2;
SRI. GIREESHA R. J., ADVOCATE FOR R3 AND R4)

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.B.M.Siddappa, counsel for the petitioners,
Smt. Savithramma, Additional Government Advocate for
respondent Nos.1 and 2, Sri. Gireesha R.J, counsel for
respondent Nos.3 and 4 appeared in person.

2. The petition was listed on 24.09.2026, on which
date counsel for the petitioner sought time to ascertain
and report the present status of the petitioner. However,
even as of today, no report regarding the present status of
the petitioner has been furnished to the Court. Hence, this



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Court proceeds to consider and dispose of the petition on merits.

3. The present petition is filed seeking a writ of certiorari to quash the order passed by the Deputy Commissioner. The said order is assailed on several grounds urged in the memorandum of the writ petition.

4. Counsel for the respective parties advanced their submissions.

Counsel appearing for respondent Nos.3 and 4 submits that the subject property was alienated in 1982, whereas the proceedings for resumption were initiated only in 2007, after an inordinate delay and laches of nearly 25 years.

5. Heard the counsel for the parties and perused the material on record with care.



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6. The issue that arises for consideration in the present petition relates to the resumption proceedings initiated in respect of the subject land.

It is sufficient to note that the subject land was granted in favor of Sri. Rangappa in 1956 and was subsequently alienated in 1982. Nearly 25 years after the said alienation, resumption proceedings came to be initiated before the Assistant Commissioner in 2007.

The Assistant Commissioner, upon consideration of the matter, allowed the claim and ordered resumption of the subject land. Aggrieved by the said order, an appeal was preferred before the Deputy Commissioner. The Deputy Commissioner, after considering the matter, set aside the order passed by the Assistant Commissioner.

In the considered view of this Court, the Assistant Commissioner ought to have taken into consideration the considerable delay and laches in initiating the resumption proceedings. The subject property had been alienated in



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1982, whereas the proceedings for resumption were initiated only in 2007, after a lapse of nearly 25 years.

The Deputy Commissioner, having regard to the inordinate delay and laches in initiating the proceedings, was justified in allowing the appeal and setting aside the order passed by the Assistant Commissioner. This Court finds no ground warranting interference with the order passed by the Deputy Commissioner.

Accordingly, the writ petition, being devoid of merit, stands ***dismissed***.

In view of the dismissal of the writ petition, the interim order, if any, stands discharged. Pending interlocutory applications, if any, stand disposed of accordingly.

SD/-
(JYOTI M)
JUDGE

AG
List No.: 1 Sl No.: 44