



CNR: KAHC010380022025

NC: 2026:KHC:52958
W.P. No.18271/2025

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.18271/2025 (SC-ST)

BETWEEN:

MARIYA BHOVI
S/O RANGA BHOVI
BY LR'S.

SRI. RANGASWAMY
S/O LATE MARIYABHOVI
AGED ABOUT 45 YEARS
R/AT SAMPIGE VILLAGE
DANDINASHIVARA HOBLI
THURUVEKERE TALUK
TUMUKUR DISTRICT-572227.

...PETITIONER

(BY SRI. K.R. NAGARAJA, ADVOCATE, FOR
SRI. V. VISWANATH SETTY, ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER
TUMKUR DISTRICT
TUMKUR-572101.
2. THE ASSISTANT COMMISSIONER
TIPTUR SUB DIVISION
TIPTUR-572101.
3. D.K. PRABHUDEVAIAH
S/O LATE KAPPANNA
AGED ABOUT 60 YEARS
R/AT DYAMASANDRA VILLAGE
DANDINASHIVARA HOBLI



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THURUVEKERE TALUK
TUMUKUR DISTRICT-572227.

...RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 & R2
SRI. SHASHANK GOWDA N, ADVOCATE FOR
SRI. AJAY KUMAR, ADVOCATE AND
SRI. M. RUDRAIAH, ADVOCATE FOR R3)

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.K.R.Nagaraja., counsel on behalf of Sri.V.Viswanath
Setty., for the petitioner; Smt.Savithramma., Additional
Government Advocate for respondent Nos. 1 & 2, and
Sri.Shashank Gowda.N., counsel on behalf of Sri.Rudraiah., for
respondent No.3 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



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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 for the petitioner vehemently contended that the alienation happened violating the non-alienation clause period, as there was a prohibition for alienation for 15 years and the permission was not obtained. Urging other grounds, he submits that the orders of the Assistant Commissioner and Deputy Commissioner may be set aside.

AGA and counsel for respondent No.3 justified the order passed by the Assistant Commissioner and Deputy Commissioner.

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.56, new Sy.No.144, spans 4 acres. It



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was granted to Mr.Rangabhovi, in 1957. Later, the subject land was sold in 1967 through a registered sale deed.

Nearly 45 years after the sale, in 2012-13, the resumption proceedings were initiated before the Assistant Commissioner. The Assistant Commissioner rejected the petition. Aggrieved by the said order, an appeal was preferred before the Deputy Commissioner, who, upon consideration of the matter, upheld the order of the Assistant Commissioner. Both the Assistant Commissioner and the Deputy Commissioner were justified in rejecting the claim.

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 Assistant Commissioner and affirmed by the Deputy Commissioner is justified and does not warrant interference. No grounds are



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made out to interfere with the impugned orders. Accordingly, the writ petition, being devoid of merit, is ***dismissed***.

Because of dismissal of the Writ Petition, interim order granted if any stands discharged and pending interlocutory applications if any are disposed of.

**SD/-
(JYOTI M)
JUDGE**

MRP
List No.: 2 Sl No.: 36