



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 17782 OF 2026 (LB-RES)

BETWEEN:

1. DUGGESHA S
S/O SUNKAPPA,
AGED ABOUT 58 YEARS,
R/A LINGADAHALLY ROAD,
ASHOKANAGARA, BIRUR,
CHIKKAMAGALURU - 577 116.
2. KARIYAMMA
W/O DUGGESHA S
AGED ABOUT 51 YEARS,
R/ A LINGADAHALLY ROAD,
ASHOKANAGARA BIRUR,
CHIKKAMAGALURU - 577 116.

...PETITIONERS

(BY MS. BABY YADAV B., ADVOCATE FOR
SRI. HIEMATHAD MAHESHAH RUDRAYYA.,
ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF URBAN
DEVELOPMENT,
M. S. BUILDING,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 001.

Digitally
signed by
VANAMALA
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Location:
HIGH
COURT OF
KARNATAKA



2. THE DIRECTOR,
DIRECTORATE OF MUNICIPAL
DEVELOPMENT, M. S. BUILDING,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 001.
3. THE DEPUTY COMMISSIONER
BIRUR, KADUR TALUK,
CHIKKAMANGALURU- 577116.
4. THE CHIEF EXECUTIVE OFFICER
KADURU TALLUK PANCHAYATH,
KADURU, CHIKKAMAGALURU DISTRICT,
5. THE CHIEF OFFICER,
TOWN MUNICIPAL COUNCIL,
BIRUR, KADUR TALUK,
CHIKKAMANGALURU- 577116.

...RESPONDENTS

(BY SRI.BOPANNA BELLIAPPA, AGA FOR R1 TO R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT OF MANDAMUS OR ANY OTHER ORDER OR DIRECTION TO CONSIDER THE REPRESENTATION OF THE PETITIONERS SUBMITTED BEFORE RESPONDENT NO-3 ON 31/07/2021, PRODUCED AT ANNEXURE-D AND PRAY FOR PASS ANY DIRECTIONS UPON THE FACTS AND CIRCUMSTANCES OF THE CASE.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

The petitioners assert ownership of the site measuring 20 feet x 30 feet in No.97, new No.17-126-106 of Birur Village, Chikkamagaluru District [*the Subject Property*]. The petitioners assert that the petitioners' title to the subject property is under a *Hakku patra* issued by the revenue authorities and the petitioners also have the advantage of *e-katha* for this property.

Insofar as the cause for the present petition, Ms. Baby Yadav B, the learned counsel for the petitioners, submits that certain third parties are interfering with the petitioners' possession and enjoyment of the subject property, and therefore, the petitioners have filed representations with the third respondent to take action but the third respondent has remained silent. Sri Bopanna Belliappa, a learned Additional Government Advocate, who



accepts notice for the first to third respondents, is heard in the light of these circumstances and the cause set out.

This Court must observe that if the petitioners have the advantage of the Title Deed and the revenue records as also possession corresponding to the subject property, the petitioners must avail appropriate remedy as against those who are obstructing their possession and enjoyment of the subject property and no cause would lie against the authorities. The third parties are not parties to the proceedings. Therefore, the petition stands disposed of with liberty to the petitioners to avail the remedy before the competent civil Court of original jurisdiction and this liberty is reserved subject to all just exceptions.

SD/-
(B M SHYAM PRASAD)
JUDGE

AN/-