



CNR: KAHC010444672026

NC: 2026:KHC:36843-DB
WA No. 1665 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO. 1665 OF 2026 (KLR-RES)

BETWEEN:

SMT. KALPANA B.M.,
W/O LATE H.C. VENKATESHAIAH,
AGED ABOUT 65 YEARS,
R/AT NO. 398, 14TH CROSS,
WILSON GARDEN,
BENGALURU - 560 030.

...APPELLANT

(BY SRI. RAGHAVENDRA REDDY C R.,ADVOCATE)

AND:

1. STATE OF KARNATAKA,
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF REVENUE,
M.S. BUILDING,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU - 560 001.
2. THE TAHSILDAR,
HAROHALLI TALUK,
HAROHALLI - 562 112.
BENGALURU SOUTH DISTRICT
3. THE ASSISTANT DIRECTOR
OF LAND RECORDS
HAROHALLI TALUK,
HAROHALLI - 562 112.
BENGALURU SOUTH DISTRICT



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4. SRI K. RAGHU,
S/O LATE P.K. KRISHNA,
AGED ABOUT 57 YEARS,
R/AT NO. 43, SRI VINAYAKA NILAYA,
NEW KEMPEGOWDA LAYOUT,
BSK III STAGE,
BENGALURU - 560 085.
5. THE INSPECTOR OF POLICE,
HAROHALLI POLICE STATION,
HAROHALLI TOWN AND TALUK,
BENGALURU SOUTH DISTRICT - 562 112.

...RESPONDENTS

(BY SRI. M.N. SUDEV HEGDE, AGA FOR R1 TO R3 AND R5)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO CALL FOR THE RECORDS OF W. P. No.15806/2026 FROM THE FILE OF THE LEARNED SINGLE JUDGE SET ASIDE THE ORDER DATED:17.06.2026 PASSED BY THE LEARNED SINGLE JUDGE IN W.P No.15806/2026 IN SO FAR AS IT DIRECTS THE SURVEY TO BE CONDUCTED ON 20.07.2026

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF



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ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE T.M.NADAF)

The unsuccessful petitioner in W.P.No.15806/2026 is before us in this intra-Court appeal, assailing the order dated 17.06.2026 passed by the Writ Court.

2. The Writ Court under the impugned order, disposed of the Writ Petition, declining to grant relief prayed for in the Writ Petition.

3. The parties are referred to as per their ranking before the Writ Court.

4. Facts germane to file the present appeal are as under:

4.1 The petitioner claims that her husband acquired property bearing Sy.No.308/2 measuring 02 Acre 38 Guntas situated at Harohalli village, Harohalli Hobli, Bengaluru South, erstwhile Kanakapura Taluk, Ramanagara District, under the Will dated 25.03.2011 and they were in peaceful possession and



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enjoyment of the same. Petitioner's husband died on 20.05.2019 and thereafter, katha and other revenue entries were transferred in the name of petitioner and at present, the petitioner and her family members are in peaceful possession and enjoyment of the property.

4.2 It is contended by the petitioner that, during the life time of her husband, as the respondent No.4 was disturbing their peaceful possession and enjoyment of the property, in that view of the matter, the petitioner's husband filed a suit against respondent No.4 seeking permanent injunction in O.S.No.71/2019, before the Senior Civil Judge and JMFC, Kanakapura.

4.3 Per contra, respondent No.4 submitted that he has purchased 11 Guntas of land in Sy.No.308/2 and the same has been phoded and reassigned as



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Sy.No.308/3 and it is the petitioner who is disturbing his 11 Guntas of land.

4.4 Since there were frequent clashes and quarrel between the petitioner and respondent No.4 causing law and order problem in the vicinity, the Inspector of Harohalli Police Station, by means of Letters dated 27.03.2026 and 06.04.2026 requested the Tahsildar, Harohalli Taluk, to direct the Survey Department to conduct a Survey to put a quietus to the *lis* between the parties. Thereafter, the Tahsildar, by means of Communication dated 15.05.2026 (Annexure-A), directed the Inspector of Police, Harohalli Police Station to provide police protection while conducting the Survey scheduled on 19.05.2026.

4.5 It is contended by the petitioner that she has been informed about this action of the Tahsildar by means of WhatsApp message. Assailing the said Communication (Annexure-A), the petitioner was



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before the Writ Court seeking a Writ of Certiorari to quash the Communication dated 15.05.2026, so also seeking a mandamus directing respondent Nos.2 and 3 not to conduct any survey and fix the boundary with respect to Sy.No.308/2 and Sy.No.308/3.

4.6 The Writ Court after hearing the rival submissions, was of the opinion that, there is no legal impediment for respondent Nos.2 and 3 to conduct the survey of the land in question and directed respondent Nos.2 and 3 to conduct the survey on 20.07.2026, with a liberty to seek the assistance of respondent No.5 for maintaining law and order and ensuring peace in the society. The Writ Court further directed respondent Nos.2 and 3 that before conducting the survey, they shall issue due notice to the petitioner as well as respondent No.4, and both the petitioner and respondent No.4 shall cooperate with the authorities to maintain a peaceful atmosphere to facilitate the conduct of the survey in respect of the subject land.



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It is this order, passed by the Writ Court is called in question in this appeal.

5. Heard, Sri.Raghavendra Reddy.C.R, learned counsel appearing for the appellant and Sri.M.N.Sudev Hegde, learned Additional Government Advocate appearing for respondents 1 to 3 and 5.

6. Sri.Raghavendra Reddy.C.R, reiterated the very same submissions urged before the Writ Court.

7. The Writ Court having considered the said arguments, disposed of the Writ Petition with a direction to respondent Nos.2 and 3 to conduct the survey on 20.07.2026 after issuing notice to both the petitioner and respondent No.4, with assistance of respondent No.5 to maintain law and order in the vicinity.

8. Primarily, the Communication which was the subject matter of the Writ Petition is an internal communication between the Tahsildar and the Inspector of



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Police to settle law and order problem in the vicinity. The persistent dispute of boundary required to be put quietus by conducting the survey. Since there is a direction to issue notice to both the petitioner and respondent No.4, both are required to be present at the time of conducting the survey and assist the survey officer by producing the documents on the basis which they are claiming their rights.

9. Respondent Nos.2 and 3 are directed to conduct the survey in accordance with the law, after considering the claim made by the respective parties, on the basis of the documents under which they are claiming their rights. In that view of the matter, we find no reason to interfere with the order passed by the Writ Court. Accordingly, the Writ Appeal is ***dismissed***.

10. Respondent Nos.2 and 3 are directed to conduct the survey on 20.07.2026, in terms of the order passed by the Writ Court. Both the petitioner and respondent No.4



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shall be present and produce their documents on which they are claiming right for the purpose of smooth conduct of the survey. Respondent No.5 is directed to provide proper security for smooth conduct of the survey by the Revenue Authorities/ Survey department, in terms of the order passed by the Writ Court.

11. In view of dismissal of Writ Appeal, pending interlocutory applications, if any, stand disposed of.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

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