



CNR: KAHC010483732024

NC: 2026:KHC:50081
WP No. 23283 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO. 23283 OF 2024 (KLR-RES)

BETWEEN:

SMT. ANUSUYAMMA
D/O LATE NARASIAH
AGED ABOUT 37 YEARS,
RESIDING AT KESTUR VILLAGE,
KASABA HOBLI, DODDABALLAPUR TALUK,
BENGALURU RURAL DISTRICT - 561 203.

...PETITIONER

(BY SRI. KUMBAR VASANT FAKEERAPPA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF REVENUE,
M.S.OFFICE BUILDINGS,
DR. AMBEDKAR VEEDI,
BENGALURU - 560 001
REPRESENTED BY ITS PRINCIPAL SECRETARY.

2. THE TAHASILDAR,
DODDABALLAPUR TALUK
DODDABALLAPUR - 561 203.

...RESPONDENTS

(BY SRI. ADITYA DIWAKARA, AGA FOR R1 AND R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE

Digitally signed by
CHAYA S A
Location: HIGH
COURT OF
KARNATAKA



CNR: KAHC010483732024

NC: 2026:KHC:50081
WP No. 23283 of 2024

DIGITALLY SIGNED ENDORSEMENT BEARING NO. LND SOLND1/992/2024 DTD 07.08.2024 ISSUED BY R-2 VIDE ANNEXURE-L AND TO EFFECT KHATA OF THE PROPERTY BEARING SY NO. 131 MEASURING 0.13 GUNTAS OF KESTUR VILLAGE, KASABA HOBLI, DODDABALLAPUR TALUK AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

1. In this petition, the petitioner is assailing the endorsement dated 07.08.2024 (Annexure - L) issued by respondent No.2.
2. Heard Sri.Kumbar Vasant Fakeerappa, learned counsel appearing for the petitioner and Sri.Aditya Diwakara, learned Additional Government Advocate appearing for the respondents.
3. Learned counsel appearing for the petitioner submitted that the land bearing Survey No.131 of Kesthuru Village, Doddaballapura Taluk is a Government gomal land and the same was being cultivated by father of the petitioner - Narasaiah to an extent of 1 acre 20 guntas



CNR: KAHC010483732024

and as such, father of the petitioner has made an application seeking regularization of the unauthorized cultivation in Form No.53 (Annexure -A).

4. It is further contended by learned counsel for the petitioner by referring to the sketch and report, submitted by the Taluk Surveyor as far as Annexure - B is concerned and the Regularization Committee by Order dated 26.12.2001 (Annexure - C) has recommended the name of father of the petitioner for regularization of the land in question to an extent of 13 guntas as per Annexure - C.

5. It is also submitted by learned counsel appearing for the petitioner that the petitioner has remitted the Phodi and Malki in respect of the land in question as per Annexure - D and thereafter, Saguvali Chit dated 05.10.2002 (Annexure - E) has been issued in the name of father of the petitioner.

6. It is further contended by learned counsel appearing for the petitioner that on the demise of father of the



CNR: KAHC010483732024

**NC: 2026:KHC:50081
WP No. 23283 of 2024**

petitioner, the petitioner herein has made a representation, seeking Khata in respect of the land in question. However, respondent No.2 by the impugned endorsement at Annexure - L, has rejected the application on the ground that the land in question claimed by the petitioner under the unauthorized cultivation, situated within 5 kms., from the City Municipality and within 18 kms., from the B.B.M.P limits and therefore, it is contended by learned counsel to appearing for the petitioner that as Doddaballapura Taluk itself is nearly 40 kms., from Bengaluru and further, Kesthuru Village is situated beyond 7 kms., from Doddaballapura Town and therefore, it is contended that the impugned endorsement requires to be set aside.

7. *Per contra*, learned Additional Government Advocate appearing for the respondents sought to justify the impugned endorsement by referring to the averments made in the statement of objections and accordingly, sought for dismissal of the petition.



CNR: KAHC010483732024

NC: 2026:KHC:50081
WP No. 23283 of 2024

8. In the light of the submissions made by learned counsel appearing for the parties and on careful consideration of the writ papers would indicate that the Bagar Hukum Committee, has accepted the application / Form No.53 filed by father of the petitioner and accordingly, passed the resolution on 26.12.2001 granting 13 guntas of land bearing Survey No.131 of Kesthuru Village, Doddaballapura Taluk. It is also forthcoming from the writ petition that father of the petitioner has remitted Phodi and Malki fees to the Government as per Annexure - D and thereafter, Saguvali Chit dated 05.10.2002 (Annexure - E) has been issued by the competent Authority in favour of father of the petitioner.

9. In that view of the matter, taking into consideration the factual aspects on record is concerned, the reasons assigned by respondent No.2 at Annexure - L, stating that the land in question is situated within 18 kms., from B.B.M.P limits is contrary to the records. It is also to be noted from the Google Map produced by the petitioner



CNR: KAHC010483732024

NC: 2026:KHC:50081
WP No. 23283 of 2024

that, the land in question is situated nearly 7.2 kms., from Doddaballapura Town.

10. Taking into consideration the aforementioned aspects, I am of the view that, the impugned endorsement is *non est*, which cannot be accepted. It is also to be noted from the notification dated 16.10.1995 (Annexure - R1), wherein, the different villages of Daddaballapura Taluk has been mentioned as to within the purview of the City Municipal Area of Doddaballapaura Town, however, name of Kesthuru Village does not find place in Annexure - R1.

11. In that view of the matter, I do not find any merit in the submissions made by learned Additional Government Advocate based on the statement of objections and accordingly, I pass the following;

ORDER

(i) The writ petition is ***allowed***.



CNR: KAHC010483732024

**NC: 2026:KHC:50081
WP No. 23283 of 2024**

(ii) The impugned endorsement dated 07.08.2024 (Annexure - L) passed by respondent No.2 is accordingly, *set aside*.

(iii) Respondent No.2 is directed to change the Khata of the land in question in favour of the petitioner within three months from the date of receipt of this order.

**SD/-
(E.S.INDIRESH)
JUDGE**

GH
List No.: 1 Sl No.: 56