



CNR: KAHC010489002025

NC: 2026:KHC:52959
WP No. 22832 of 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. 22832 OF 2025 (SC/ST)

BETWEEN:

1. K MOIDEEN
AGED 78 YEARS,
S/O. ABDULLA,
2. N.A.MOHMMED @ UMBU,
AGED ABOUT 55 YEARS,
S/O. ABDULLA,
3. N.A.ABDULLA,
AGED 42 YEARS,
K.A.MOHAMMED,

PETITIONERS NO.1 TO 3 ARE
RESIDING AT NO.721/D, 4TH CROSS,
2ND MAIN, A BLOCK,
VINAYAKANAGARA,
KONENA AGRAHARA,
NEAR H.A.L. OLD AIRPORT ROAD,
NEAR MURGESH PALYA,
BENGALURU-560 107

...PETITIONERS

(BY SRI. B.V.BADRINATH, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REVENUE DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU-560001,
REPRESENTED BY CHIEF SECRETARY,



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2. THE DEPUTY COMMISSIONER,
RAMANAGARA DISTRICT - 562159
3. THE ASSISTANT COMMISSIONER,
RAMANAGARA SOUTH SUB-DIVISION,
RAMANAGARA DISTRICT - 562159
4. THE THASILDAR
RAMANAGARA TALUK
RAMANAGARA-562159
5. SRI. MANUNATH D.V.,
AGED ABOUT 38 YEARS,
S/O. VENKATESH,
6. SRI. DHANANJAYA,
AGED ABOUT 35 YEARS,
S/O.VENKATESH,

RESPONDENTS NO.5 AND 6 ARE
RESIDING AT NO.45/B,
DASAPPA DODDI VILLAGE,
BIDADI HOBLI,
RAMANAGARA TALUK - 562109.

...RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 TO R4;
SRI. RAJANNA B.C., ADVOCATE FOR R5 AND R6 - ABSENT)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 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:



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ORAL ORDER

Sri.B.V.Badrinath., counsel for the petitioners and Smt.Savithramma., Additional Government Advocate for respondent Nos. 1 to 4 appeared in person.

There is no representation on behalf of counsel for respondents 5 and 6.

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 writ petition on several grounds as set out in the memorandum of the writ petition.

3. Counsel for the respective parties advanced several contentions.

AGA submits that as there was a violation of provisions of PTCL Act, the resumption is justified. Urging additional grounds, she submit that the petition lacks merit and the same may be dismissed.



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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.2/P-5, spans 38 guntas. It was granted to Mr.Patlaiah, in 1978-79. Later, the subject land was sold in 1997 through a registered sale deed.

Nearly 20 years after the sale, in 2017-18, the resumption proceedings were initiated before the Assistant Commissioner. The Assistant Commissioner approved the petition and ordered the land to be resumed. Dissatisfied, an appeal was preferred to the Deputy Commissioner, who upheld the original order. However, both the Assistant and Deputy Commissioners overlooked the nearly 20-year delay in initiating these proceedings. They failed to consider the issue of laches or the petitioners' claim that the proceedings were commenced after an unreasonable delay.

The authorities should have evaluated whether to proceed after nearly 20 years, especially since the rights in the land were settled by the sale deed in 1997. The oversight in



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considering the delay and laches led to orders for land resumption being issued without adequately addressing a crucial and relevant issue.

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 orders passed by the Assistant Commissioner and confirmed by the Deputy Commissioner, directing resumption of the subject land, cannot be legally sustained. Accordingly, the impugned orders are liable to be set aside.

6. For the foregoing reasons, the orders of the Assistant Commissioner and the Deputy Commissioner are liable to be set aside.

7. The writ of certiorari is ordered. The order dated 14.03.2022 passed by the Assistant Commissioner vide Annexure-J, and the order dated 13.09.2024 passed by the



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Deputy Commissioner vide Annexure-K are quashed. As this Court has quashed the orders, the authority concerned is hereby directed to restore the petitioner's name in the subject land in the revenue records.

8. Resultantly, the writ petition is ***allowed***.

On disposal of the Writ Petition, any interim order stands discharged, and any pending interlocutory applications, if any, are disposed of.

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

MRP
List No.: 2 Sl No.: 38