



CNR: KAHC010499532026

NC: 2026:KHC:54962
WP No. 22534 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 22534 OF 2026 (SC/ST)

BETWEEN:

SRI V RAMAKRISHNAPPA
S/O LATE BYRAPPA,
AGED ABOUT 73 YEARS
R/AT BEVAHALLI VILLAGE,
DUGGASANDRA HOBLI,
MULBAGAL TALUK-563131,
KOLAR DISTRICT.

...PETITIONER

(BY SRI. UMESH B.N., ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER
KOLAR DISTRICT KOLAR
ZILLADALITHA BHAVANA
KUMBARAHALLI, MULABAGAL ROAD,
NH-75, KOLAR -563 103.
2. THE ASSISTANT COMMISSIONER
KOLAR SUB DIVISION KOLAR,
OFFICE AT ZILLADALITHA BHAVANA.
KUMBARAHALLI,
MULABAGAL ROAD, NH-75,
KOLAR -563 103.
3. SRI MUNIVENKATAPPA @ PILLAPPA
S/O KG GUNDAPPA
AGED ABOUT 74 YEARS



CNR: KAHC010499532026

NC: 2026:KHC:54962
WP No. 22534 of 2026

4. SRI GOPALAKRISHNA
S/O MUNIVENKATAPPA @ PILLAPPA
AGE ABOUT 36 YEARS

RESPONDENTS NO. 3 AND 4 ARE
R/AT K G LAKSHMISAGARA MAJARA
DASARAHALLI VILLAGE,
DUGGASANDRA HOBLI,
MULBAGAL TALUK-563131,
KOLAR DISTRICT.

...RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 AND R2;
R3 AND R4 ARE SERVED AND UNREPRESENTED)

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.Umesh B.N., counsel for the petitioner and
Smt.Savithramma., Additional Government Advocate for
respondent Nos. 1 & 2 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 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.

4. The Court heard the arguments and carefully perused the papers.

5. This issue is limited to resumption proceedings. The land in question was granted to Mr.Munivenkatappa, in 1974-75. Later, the subject land was sold by the grantee along with his son in 2007 through a registered sale deed. The resumption proceedings were initiated before the Assistant Commissioner. The Assistant



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NC: 2026:KHC:54962
WP No. 22534 of 2026

Commissioner approved the petition and ordered the land to be resumed. Dissatisfied, an appeal was preferred to the Deputy Commissioner, who remanded the matter to the Assistant Commissioner. After remand, 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 order.

The sale deed is furnished along with the writ petition and the same is marked as Annexure-E. A perusal of the same reflects that the original grantee along with his son sold the property in favor of the petitioner. The grantee himself has sold the property and has also initiated the resumption proceedings. In view of the law laid down by the Hon'ble Apex Court in the *Seethamma* case, he could not have instituted proceedings under the provisions of the PTCL Act. Both the Assistant and Deputy Commissioners failed have regard to the relevant considerations and disregarded relevant matters.



CNR: KAHC010499532026

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 04.09.2025 passed by the Assistant Commissioner vide Annexure-B, and the order dated 23.03.2026 passed by the Deputy Commissioner vide Annexure-A 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***.



**NC: 2026:KHC:54962
WP No. 22534 of 2026**

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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.: 29