



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 23106 OF 2025 (KLR-RES)

BETWEEN:

1. SRI ASHOK KUMAR K
S/O LATE KRISHNAMURTHY N
AGED ABOUT 49 YEARS
NO 86, THIRUMAGONDANAHALLI
DODDABALLAPURA
HADONAHALLI
BANGALORE RURAL DISTRICT
BANGALORE 561205.

2. SRI. SURESH K
S/O LATE KRISHNAMURTHY N
AGED ABOUT 51 YEARS
THIRUMAGONDANAHALLI VILLAGE
DODDABALLAPURA, HADONAHALLI
BANGALORE RURAL DISTRICT
BANGALORE 561205.

...PETITIONERS

(BY SRI. MUNEENDRA G.A., ADVOCATE FOR
SRI. NARASIMHAMURTHY C.D., ADVOCATE)

AND:

1. THE TAHASILDAR
DODDABALLAPURA TALUK
DODDABALLAPURA
BANGALORE RURAL DIST
BANGALORE 561205.

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2. THE SECRETARY
LAND REGULARIZE COMMITTEE
DODDABALLAPURA TALUK
DODDABALLAPURA
BANGALORE RURAL DIST
BANGALORE 561205.

...RESPONDENTS

(BY SRI.SHAMANTH NAIK., HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR RECORDS FROM THE OFFICE OF THE RESPONDENT NO.1 IN RESPECT OF ABOVE SAID PROCEEDINGS AND DIRECTING 1ST RESPONDENT TO ISSUE SAGUVALI CHIT IN RESPECT OF SY.NO. 187 TO AN EXTENT OF 0.20 GUNTAS, SITUATED AT THIRUMAGONDANAHALLI, THUBAGERE HOBLI, DODDABALLAPURA TALUK, BANGALORE RURAL DISTRICT AND ETC.

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

The grievance of the petitioners is directed towards the impugned endorsement dated 03.05.2025 at Annexure-A issued by the 1st respondent-Tahsildar, Doddaballapura Taluk.

2. Learned Counsel for the petitioners submits that the petitioners gave a representation to the respondent-Tahsildar seeking to issue Saguvali Chit having regard to



the orders passed by the Committee for Regularization of Unauthorized Occupation, granting 20 Guntas of land in Survey No.187 of Thirumagondanahalli village, Tubagere Hobli, Doddaballapura Taluk, Bangalore Rural District. It was contented that on 02.02.2012, the Committee passed a resolution directing grant of the lands in favour of the petitioners' mother-Smt. Jayalakshmamma. The Tahsildar although admits the fact that such a resolution/order was passed by the Committee, nevertheless, the Tahsildar has issued the impugned endorsement stating that since the lands in question fall within the prohibited distance from the boundary of Doddaballapura City Municipal Council, Saguvali Chit cannot be issued to the petitioners.

3. Learned Counsel for the petitioners further submits that the Tahsildar could not have issued the impugned endorsement having regard to the admitted fact that the Committee resolved to grant the lands in favour of the petitioners' mother by its order dated 02.02.2012. There being no challenge to the decision taken by the



Committee, the Tahsildar could not have issued the impugned endorsement. Moreover, this Court in the case of ***SRI.ASHWATHAPPA AND OTHERS VS. THE STATE OF KARNATAKA AND OTHERS, IN W.P.NO.2411/2022 DATED 18.02.2022***, has held that the consideration of the application for regularization of unauthorized occupation should be done having regard to the date on which the application was filed and not when the application is taken up for consideration. The distance is required to be measured having regard to the geographical jurisdiction of the local authority as on the date of the application. Moreover, in the present case the Tahsildar does not deny the fact that such a decision is already taken by the Committee. Therefore, the Tahsildar was duty bound to issue the Saguvali Chit instead of issuing the impugned endorsement.

4. There is substance in the submissions made by the learned Counsel for the petitioners.



5. This Court in the case of **SRI.ASHWATHAPPA** (supra) has laid down the law as to the measurement of the distance from the boundary of the local authority to find out whether the lands fall within the prohibited distance. The learned Counsel for the petitioners is right in his submission that this Court has held that the distance has to be measured having regard to the geographical jurisdiction of the local authority as on the date of the application. In that view of the matter, it is clear that when the Committee took a decision on 02.02.2012 to grant the lands in favour of the petitioners' mother, the Committee was aware of the fact that the lands in question did not fall within the prohibited distance.

6. Accordingly, the writ petition is **allowed**. The impugned endorsement dated 03.05.2025 at Annexure-A issued by the 1st respondent-Tahsildar, Doddaballapura Taluk is hereby quashed and set aside. The respondent-Tahsildar is hereby directed to issue Saguvali Chit in favour of the petitioners' mother after collecting the



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kimmath if not already paid by the petitioners or their mother. The entire exercise shall be completed as expeditiously as possible and at any rate within a period of two months from the date of receipt of a copy of this order.

**Sd/-
(R DEVDAS)
JUDGE**

DL
CT: JL