



CNR: KAHC010537692025

NC: 2026:KHC:52261  
WP No. 25065 of 2025

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 22<sup>ND</sup> DAY OF SEPTEMBER, 2026**

**BEFORE**

**THE HON'BLE MS. JUSTICE JYOTI M**

**WRIT PETITION NO. 25065 OF 2025 (SC/ST)**

**BETWEEN:**

SRI K P BASAVARAJU  
AGED ABOUT 74 YEARS,  
S/O LATE K.B. PARAMASHIVAIAH,  
R/A NO.89, POOR HOUSE BLOCK,  
VIVEKANDANAGARA,  
KANAKAPURA TOWN,  
RAMANAGARA DISTRICT.

...PETITIONER

(BY SRI. YOGESHA B. POOJARI., ADVOCATE FOR  
SRI. RAVISHANKAR S., ADVOCATES)

**AND:**

1. THE DEPUTY COMMISSIONER  
RAMANGAR, RAMANAGAR DISTRICT.
2. THE ASSISTANT COMMISSIONER,  
RAMANAGARA SUB-DIVISION,  
RAMANAGARA DISTRICT.
3. SRI.N.RAJESH.  
S/O LATE. R.NAGARAJU @ SHANKARAPPA,  
R/AT NO. 1, 10TH CROSS,  
J.C.NAGAR, KURUBARAHALLI,  
MAHALAKSHMIPURAM POST,  
BENGALURU-560 086.

Digitally signed by  
PREMCHANDRA M R  
Location: HIGH  
COURT OF  
KARNATAKA



CNR: KAHC010537692025

NC: 2026:KHC:52261  
WP No. 25065 of 2025

4. SRI.N.LOKESH,  
S/O LATE.R.NAGARAJU @ SHANKARAPPA,  
R/AT NO.1, 10TH CROSS,  
J.C.NAGAR, KURUBARAHALLI,  
MAHALAKSHMIPURAM POST,  
BENGALURU 560 086.
5. SMT.LAKSHAMMA,  
W/O LATE. NAGARAJU @ CHIKKANAGARAJU,  
R/AT AGRAHARA NEW COLONY,  
TUNGANI POST, KASABA HOBLI,  
KANAKAPURA TALUK,  
RAMANAGARA DISTRICT.
6. SMT. SHASHIKALA,  
D/O LATE. NAGARAJU @ CHIKKANAGARAJU,  
W/O NARAYANA,  
R/AT AGRAHARA NEW COLONY,  
TUNGANI POST, KASABA HOBLI,  
KANAKAPURA TALUK,  
RAMANAGARA DISTRICT.

...RESPONDENTS

(BY SMT. SAVITHRAMMA., AGA FOR R1 AND R2;  
SMT. ANUSHA C., ADVOCATE FOR  
SRI. S. G SWAMY., ADVOCATE FOR R3 TO R6)

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:



CNR: KAHC010537692025

**NC: 2026:KHC:52261  
WP No. 25065 of 2025**

**ORAL ORDER**

Sri.Yogesha.B.Poojari., counsel for the petitioner; Smt.Savithramma., Additional Government Advocate for respondent Nos.1 and 2; and Smt.Anusha.C., counsel on behalf of Sri.S.G.Swamy., for respondent Nos.3 to 6, appeared in person.

Counsel for respondent Nos.3 to 6 and seeks time. This Court is not inclined to grant time. The reason is apparent. A perusal of the order sheet reflects that petition was listed on 08.09.2026. On that day, at request of respondent Nos.3 to 6, the petition was ordered to be listed today. Accordingly, it is listed today. Counsel again seeks time. This Court is not inclined to grant further time, hence, the Court to proceed to pass orders on the merits of the case.

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.



**CNR: KAHC010537692025**

3. Counsel for the respective parties advanced several contentions.

AGA and counsel for respondent Nos.3 to 6 justified the order and further submits that as there was a violation of provisions of PTCL Act, the resumption is justified. Urging additional grounds, they submits 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, Old Sy.No.20, new Sy.No.74, spans 1 acre 16 guntas. It was granted to Mr.Ramabhoyi, in 1951. Later, the subject land was sold in 1981 through a registered sale deed. Thereafter, several sale transactions have taken place. As matter stood thus, resumption proceedings were initiated in 2014 after 33 years. The Assistant Commissioner vide order dated 04.12.2024 allowed the claim. Against which, an appeal was preferred before the Deputy Commissioner and the Deputy



**CNR: KAHC010537692025**

**NC: 2026:KHC:52261  
WP No. 25065 of 2025**

Commissioner vide order dated:12.06.2025 confirmed the order of the Assistant Commissioner.

Nearly 33 years after the sale, in 2014, 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 33-year delay in initiating these proceedings. They failed to consider the issue of laches or the petitioner claim that the proceedings were commenced after an unreasonable delay.

The authorities should have evaluated whether to proceed after nearly 33 years, especially since the rights in the land were settled by the sale deed in 1981. The oversight in considering the delay and laches led to orders for land resumption being issued without adequately addressing a crucial and relevant issue.



CNR: KAHC010537692025

**NC: 2026:KHC:52261**  
**WP No. 25065 of 2025**

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 04.12.2024 passed by the Assistant Commissioner vide Annexure-F, and the order dated 12.06.2025 passed by the Deputy Commissioner vide Annexure-G are quashed. As this Court has quashed the orders, the authority concerned is



CNR: KAHC010537692025

NC: 2026:KHC:52261  
WP No. 25065 of 2025

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**

SJK  
List No.: 1 Sl No.: 55