



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 05TH DAY OF JUNE, 2026

BEFORE

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

WRIT PETITION NO.25013 OF 2025 (KLR-RES)

BETWEEN:

1. SRI. KRISHNAPPA. C. M.
S/O CHIKKAMOTTAPPA,
AGED ABOUT 55 YEARS,
R/A DHARMAPURA VILLAGE,
VIJAYAPURA HOBLI,
DEVANAHALLI TALUK,
BENGALURU RURAL DISTRICT- 562110.

...PETITIONER

(BY SRI. K. VIJAYA KUMAR, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY
ADDITIONAL CHIEF SECRETARY
DEPARTMENT OF FOREST,
ECOLOGY AND ENVIRONMENT DEPARTMENT,
M.S. BUILDING,
BENGALURU-560001.
2. THE RANGE FOREST OFFICER,
DEVANAHALLI ZONE,
DEVANAHALLI TOWN-562110.
3. THE DEPUTY COMMISSIONER
BENGALURU RURAL DISTRICT,
DISTRICT ADMINISTRATIVE BUILDING,
1ST FLOOR, BEERASANDRA VILLAGE,
KUNDANA HOBLI,
DEVANAHALLI TALUK,



BENGALURU-562110.

4. TAHSILDAR,
DEVANAHALLI TALUK,
DEVANAHALLI-562110.
5. ASSISTANT DIRECTOR OF
LAND RECORDS,
DEVANAHALLI TALUK,
DEVANAHALLI - 562110.
6. UNDER SECRETARY,
GOVERNMENT OF KARNATAKA,
REVENUE DEPARTMENT,
M.S. BUILDING,
BENGALURU-560001.

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS TO CONDUCT JOINT SURVEY CONSISTING OF REVENUE DEPARTMENT, FOREST DEPARTMENT IN RESPECT OF THE LAND IN OLD SY.NO.1, NEW SY.NO.120, SITUATED AT DHARMAPURA VILLAGE, VIJAYAPURA HOBLI, DEVANAHALLI TALUK, MEASURING 3 ACRES 2 GUNTAS, BY CONSIDERING THE REPRESENTATIONS DATED 28.02.2025 GIVEN TO RESPONDENT NO.4 AND 5 AND REPRESENTATION DATED 24.02.2025 GIVEN TO RESPONDENT NO.3 AND REPRESENTATION DATED 27.03.2025 GIVEN TO THE RESPONDENT NO.6. (ANNEXURE-A 1 TO A4); 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

In the present writ petition, the petitioner has sought a direction to the respondents to conduct a joint survey in respect of the land bearing Sy. No. 120 (Old Sy. No. 1) situated at Dharmapura Village, Devanahalli Taluk, by considering the representations produced at Annexure-A series.

2. Heard Sri. Vijaya Kumar, learned counsel for the petitioner and Smt. B. P. Radha, learned Additional Government Advocate appearing for the respondent-State.

3. Sri. Vijaya Kumar, learned counsel appearing for the petitioner, submits that the revenue authorities, particularly the officials of the Forest Department, are interfering with the peaceful possession and enjoyment of the land claimed by the petitioner. He contends that,



without affording an opportunity of hearing to the petitioner, the authorities are interfering with the cultivation activities being carried on by the petitioner. Accordingly, he seeks appropriate relief from this Court.

4. In support of his submissions, the learned counsel for the petitioner has placed reliance on the decision of this court in the case of ***Laxmamma vs. Principal Secretary, Revenue Department***, reported in **2020 (3) AKR 321**, and contends that it is the duty of the respondents to conduct a joint survey in the presence of the petitioner before initiating any action affecting the petitioner's possession. On these grounds, he seeks interference by this Court.

5. Per contra, Smt. B. P. Radha, learned Additional Government Advocate appearing for the respondent-State submits that the petitioner has encroached upon Forest land. learned Additional Government Advocate further submits that a joint survey



has already been conducted in this regard and, therefore, no further direction is called for in this petition. Accordingly, he seeks dismissal of the writ petition.

6. Having heard the learned counsel appearing for the parties and upon perusal of the material on record, it is evident that the grievance of the petitioner pertains to the alleged interference by the respondent-authorities with the schedule property claimed by the petitioner. It is also necessary to note the principles laid down by this Court in ***Laxmamma's*** case (supra), wherein it has been observed that before taking any coercive action, the authorities are required to conduct a proper survey after issuing notice to all concerned parties.

7. In that view of the matter, I am of the opinion that it is the duty of the respondents to issue appropriate notice to the petitioner and other interested persons, if any, and conduct a survey of the subject land in the



presence of the officials of the Forest Department, the petitioner, and such other affected parties.

8. Accordingly, the jurisdictional revenue authorities shall conduct a joint survey of the subject land after due notice to all concerned parties and in the presence of the officials of the Forest Department and the petitioner. Thereafter, the respondent-authorities shall proceed in accordance with law on the basis of the survey records.

9. It is further made clear that until such survey is conducted by the jurisdictional revenue authorities and appropriate proceedings are concluded, no precipitative or coercive action shall be taken against the petitioner in respect of the subject property.

10. Since the parties are represented through their respective learned counsel and the learned Additional Government Advocate has accepted notice for the respondents, Respondent No.5-Assistant Director of Land



NC: 2026:KHC:26942
WP No. 25013 of 2025

Records is directed to conduct the survey in the presence of the officials of the Forest Department and the petitioner on 02.07.2026 at 11.00 a.m., and thereafter take further action in accordance with law.

Accordingly, the writ petition stands **disposed of**.

SD/-
(E.S.INDIRESH)
JUDGE

SB
List No.: 1 Sl No.: 74