



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

**DATED THIS THE 5<sup>TH</sup> DAY OF MARCH, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE R DEVDAS**

**WRIT PETITION NO. 26440 OF 2025 (KLR-REG)**

**BETWEEN:**

SRI. S.GOPAL GOWDA  
S/O SALAGIRI GOWDA,  
AGED 50 YEARS,  
R/AT JAKKASANDRA VILLAGE,  
MARALAVADI HOBLI,  
HAROHALLI TALUK,  
BENGALURU SOUTH DISTRICT - 562 112

...PETITIONER

(BY SRI. NATARAJ BABA.K.,ADVOCATE)

**AND:**

1. THE STATE OF KARNATAKA  
REP. BY ITS SECRETARY,  
REVENUE DEPARTMENT,  
M. S. BUILDINGS,  
BENGALURU - 560 001.
2. THE DEPUTY COMMISSIONER,  
BENGALURU SOUTH DISTRICT,  
RAMANAGARAM - 562 159
3. THE ASSISTANT COMMISSIONER,  
RAMANAGARAM SUB-DIVISION,  
MINI VIDHANA SOUDHA,  
BENGALURU-MYSURU ROAD,  
RAMANAGARAM - 562 159.

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Location: HIGH  
COURT OF  
KARNATAKA



4. THE TAHASILDAR,  
HAROHALLI TALUK,  
BENGALURU SOUTH DISTRICT - 562 117
5. THE SPECIAL DEPUTY COMMISSIONER  
K.I.A.D.B, KANIJA BHAVAN,  
BENGALURU -01

...RESPONDENTS

(BY SRI.SHAMANTH NAIK, HCGP FOR R1 TO R4;  
SRI. P.V.CHANDRA SHEKAR FOR R5)

THIS WP IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS AND ISSUE A WRIT IN THE NATURE OF MANDAMUS, OR ANY OTHER APPROPRIATE WRIT, ORDER, OR DIRECTION, DIRECTING THE RESPONDENTS TO CONSIDER AND GRANT THE CLAIM OF THE PETITIONER IN RESPECT OF THE REMAINING EXTENT OF LAND MEASURING 31 GUNTAS AS PER SURVEY RECORDS (CLAIMED AS 1 ACRE) IN ONE PART, AND 2 ACRES IN ANOTHER PART, BOTH SITUATED IN SY. NO. 42 OF JAKKASANDRA VILLAGE, MARALAVADI HOBOLI, KANAKAPURA TALUK (NOW HAROHALLI TALUK), RAMANAGARAM DISTRICT (PRESENTLY BENGALURU SOUTH DISTRICT AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

### **ORAL ORDER**

The prayer in the petition is to issue a writ of mandamus directing the respondents to consider and grant the claim of the petitioner in respect of the remaining extent of land in Survey No.42 of Jakkasandra Village, Maralavadi Hobli, Kanakapura Taluk, to an extent of 31 guntas.



2. Learned counsel Sri.P.V.Chandrasekhar, appearing for the respondent-KIADB and the Learned High Court Government Pleader jointly submit that earlier the petitioner had filed W.P.No.2783/2009, raising a challenge to the order dated 18.12.2004 passed by the Assistant Commissioner and the order dated 10.12.2008 passed by the Deputy Commissioner. It was contended by the petitioner therein that he is in unauthorised occupation of 2 acres of land in Survey No.42 of Jakkasandra Village, Maralavadi Hobli, Kanakapura Taluk and he had filed an application seeking regularisation of unauthorised occupation. It was contented that the Committee resolved to grant the lands in favour of the petitioner and pursuant to which, Form No.1 was issued in favour of the petitioner and the name of the petitioner was also entered in the revenue records in terms of M.R.No.9/2003-2004 to an extent of 1 acre. However, by virtue of the impugned orders passed by the Assistant Commissioner, the extent of land was reduced from 1 acre to 21 guntas by referring to a report submitted by the Tahsildar. However, this Court held that such a decision rendered by the Assistant Commissioner was without issuance of notice to the petitioner and therefore, there was



denial of principles of natural justice. Accordingly, the writ petition was allowed while setting aside the orders passed by the Assistant Commissioner and the Deputy Commissioner, while remanding the matter back to the Assistant Commissioner for fresh consideration. Thereafter, the petitioner filed one more writ petition in W.P.No.4028/2020, seeking a direction to the respondent authorities to grant the remaining extent of land in Survey No.42, other than what was already granted to the petitioner. However, the petitioner sought to withdraw the writ petition seeking liberty to file a fresh writ petition. The writ petition was accordingly dismissed as withdrawn while reserving liberty to the petitioner to file a fresh petition. Learned counsel Sri.P.V.Chandrasekhar submits that the lands in question have been transferred to the KIADB under the provisions of the Karnataka Industrial Areas Development Act, 1966. The petitioner has already been given the compensation for the lands for which his name was shown in the revenue records.

3. Learned High Court Government Pleader submits that when admittedly the Committee for regularisation of



unauthorised occupation resolved in terms of Annexure-A to grant only 1 acre of land out of 2 acres which were claimed by the petitioner and that resolution not having been challenged by the petitioner, such a direction cannot be issued now to reconsider the applications given by the petitioner for regularization of unauthorised occupation.

4. There is substance in the submissions made by the learned counsel for the respondents. The petitioner accepted the resolution passed by the committee which was only for an extent of 1 acre, although applications were filed by the petitioner for seeking a grant of 2 acres of land. At this juncture, learned counsel for the petitioner submits that the petitioner had filed two applications and sought grant of 2 acres each in the same survey number.

5. Even if such is the contention of the petitioner, the same cannot be accepted, since the resolution passed by the committee at an undisputed point of time was not questioned by the petitioner. Now it is too late in the day to permit the petitioner to raise a challenge to the resolution passed by the committee long ago. Moreover, the lands in question have



already been utilized by the KIADB in accordance with law and whatever compensation was due to the petitioner in terms of his entitlement under the revenue records has been received by the petitioner.

For the reasons stated above, the writ petition stands ***dismissed***

Ordered accordingly.

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

rv  
List No.: 1 Sl No.: 33