



CNR: KAHC010570312026

NC: 2026:KHC:44859
WP No. 25749 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF AUGUST, 2026

BEFORE

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

WRIT PETITION NO. 25749 OF 2026 (KLR-LG)

BETWEEN:

SRI. R. SHANKARAPPA
S/O LATE RAMAKRISHNAPPAAN
AGED ABOUT 70 YEARS
R/AT NO.31, INDIAN BANK COLONY,
KENCHANAHALLI VILLAGE,
BENGALURU - 560 098
REP. BY HIS GPA HOLDER
SRI. MADHU KUMAR R.S
AGED ABOUT 40 YEARS
R/AT NO.31, INDIAN BANK COLONY,
KENCHANAHALLI VILLAGE,
BENGALURU - 560 098.

...PETITIONER

Digitally signed by
CHANDRA S A
Location: HIGH
COURT OF
KARNATAKA

(BY SRI. M.R. RAJAGOPAL, SR. COUNSEL FOR
SRI. THILAKRAJ, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP. BY ITS SECRETARY,
DEPARTMENT OF REVENUE,
VIDHANA SOUDHA,
BENGALURU - 560 001.
2. THE DEPUTY COMMISSIONER
BANGALORE URBAN DISTRICT,



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D.C OFFICE, KANADAYA BHAVAN,
BENGALURU - 560 001.

3. THE ASSISTANT COMMISSIONER,
BENGALURU SOUTH TALUK,
BENGALURU - 560 001.
4. THE TAHSILDAR,
BENGALURU SOUTH TALUK,
BENGALURU - 560 001.

...RESPONDENTS

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

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION DIRECTING THE RESPONDENT NO.1 TO 4 TO TAKE NECESSARY STEPS TO IMPLEMENT THE RECOMMENDATION MADE BY THE DEPUTY COMMISSIONER IN AN EARLIER OCCASION AS PER ANNEXURE-E VIDE BEARING NO. LND(BEN.DA.THA)C.R/24/05-06 DATED 29.04.2011 FOR THE PURPOSE OF CONSIDERING THE REQUEST FOR ALTERNATIVE LAND AS PER ANNEXURE-F DTD 1.1.2013 AS WELL AS TO TAKE THE DECISION ON THE WRITTEN GRIEVANCE ADDRESSED AS PER ANNEXURE-J DTD 22.01.2026 AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH



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ORAL ORDER

Heard Sri. M.R. Rajagopal, learned Senior counsel appearing on behalf of Sri. Thilakraj S.V., learned counsel for the petitioner and the learned Additional Government Advocate appearing for the respondents.

2. Learned Senior counsel appearing for the petitioner, referring to the Official Memorandum dated 16.09.2006 (Annexure-A) and Sale Certificate dated 29.11.2006 (Annexure-B), contended that petitioner had participated in the public auction and purchased the land in question by investing sum of Rs.93,76,780/- during 2006. However, the respondent-authorities have not put the petitioner in possession of the land in question. Accordingly, learned Senior counsel sought interference by this Court.

3. It is further contended by the learned Senior Counsel, referring to the letter dated 29.04.2011 (Annexure-E), that respondent No.2 had addressed a



letter to respondent No.1, seeking approval with regard to the allotment of alternative land to the petitioner, however, the same has not reached finality and no further steps have been taken by the respondent-authorities, despite the order dated 19.07.2024 passed by this Court in WP No.12760/2024 (Annexure-G), no effective steps have been taken by the respondent-authorities and as such, sought for interference of this Court.

4. It is further contended by the learned Senior counsel appearing for the petitioner by referring to the RTC extracts produced at Annexure-H series, that the petitioner had already identified the land to facilitate the respondent-authorities in allotting alternative land to the petitioner. However, no steps have been taken by respondent No.1 in this regard. Accordingly, the learned Senior Counsel sought interference by this Court.

5. *Per contra*, the learned Additional Government Advocate sought to justify the impugned action on the ground that, there was an irregularity in conducting the



auction and accordingly, sought for dismissal of the petition.

6. In the light of the submissions made by the learned counsel appearing for the parties and upon careful consideration of the writ papers, it is forthcoming that a Official Memorandum dated 16.09.2006 (Annexure-A) was issued by respondent No.2 for allotment of the land to the petitioner, who was declared as the highest bidder in the public auction. It is also forthcoming that the petitioner had deposited a sum of Rs.93,76,780/- pursuant to Annexure-A to the petition during the year 2006 itself.

7. It is also forthcoming from Annexure-B, that the Certificate of Sale of Immovable Property, was issued to the petitioner in respect of the land bearing Survey No.18, measuring 1 acre 35 guntas, situated at Muffath Khaval, Kenchenahalli Village, Kengeri Hobli, Bangalore South Taluk, which has been identified and the Sale Certificate issued in favour of the petitioner in respect of the said land.



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8. In this regard, it is relevant to refer to the judgment of the Hon'ble Supreme Court in the case of ***Kavitha v. Dhanalakshmi***, in ***SLP No.5987/2018***, dated 18.01.2018, wherein it was held that the issuance of a Sale Certificate after a public auction by the competent authority is equivalent to the registered Sale Deed in favour of the purchaser. It is also to be noted from Annexure-C that mutation has been effected in the name of in respect of the land-in-question.

9. It is forthcoming from the letter dated 29.04.2011 (Annexure-E) addressed to respondent No.1 by respondent No.2 seeking approval with regard to the allotment of alternative land to the petitioner in lieu of land allotted as per public auction. However, no further action has been taken by respondent No.1.

10. It is also forthcoming from the writ papers that the petitioner had earlier approached this Court in W.P. No.12760/2024 and this Court, vide order dated 19.07.2024 (Annexure-G), directed the respondent-



authorities to conclude the matter by making efforts to identify alternative land and allot the same in favour of the petitioner.

11. Despite the order passed by this Court, no efforts have been made by the respondent-authorities. However, in order to facilitate the respondent-authorities, the petitioner himself has identified Government land as per Annexure-H series and has sought allotment of the very same land in his favour in lieu of the land covered under the Sale Certificate at Annexure-B, whereby land bearing Survey No.18, measuring 1 acre 35 guntas, was auctioned in favour of the petitioner.

12. In that view of the matter, I find force in the submissions made by the learned Senior Counsel appearing for the petitioner. Though the petitioner had invested a sum of Rs.93.76,780/- in the public auction pursuant to the Official Memorandum dated 16.09.2006 (Annexure-A), the respondent-authorities have not made any efforts to provide alternative land to the petitioner till



date even after two decades. Hence, the petitioner is having legitimate expectation under Article 14 of the Constitution of India, therefore, the contention of the learned AGA that irregularity in public auction, at length of time.

13. In that view of the matter, I am of the view that respondent No.2 is hereby directed to give effect to the Official Memorandum dated 16.09.2006 and to allot suitable alternative land with the assistance of the petitioner and allot the same in favour of the petitioner, within a period of two months from the date of receipt of a copy of this order.

14. It is made clear that the present writ petition is the second writ petition filed by the petitioner after the disposal of W.P. No.12760/2024 (Annexure-G). This aspect of the matter shall be kept in mind by the respondent No.2, who shall conclude the entire proceedings within a period of two months from the date



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of receipt of a copy of this order, without further delay in the matter.

With the above observations, the petition is ***disposed of.***

**Sd/-
(E.S.INDIRESH)
JUDGE**

TMP
List No.: 1 Sl No.: 38