



CNR: KAHC010581252025

NC: 2026:KHC:50144
WP No. 26785 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 26785 OF 2025 (SC/ST)

BETWEEN:

SRI. NANJA MARIYAPPA,
SON OF LATE ANJANAPPA,
AGED ABOUT 79 YEARS,
RESIDING AT BYAPPANAHALLI VILLAGE,
JALA HOBLI, YELAHANKA TALUK,
BENGALURU-560149.

...PETITIONER

(BY SRI. P.M.GOPI, ADVOCATE FOR
SRI. P.M.SIDDAMALLAPPA, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
REVENUE DEPARTMENT,
M.S.BUILDING,
DR. AMBEDKAR VEEDI,
BENGALURU-560001.
2. THE DEPUTY COMMISSIONER,
BENGALURU URBAN DISTRICT,
D.C.OFFICE, K.G.ROAD,
BENGALURU-560009.
3. THE ASSISTANT COMMISSIONER,
BENGALURU NORTH SUB-DIVISION,
KANDAYA BHAVAN,
K.G.ROAD, BENGALURU-560009.



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4. SMT. SHIVAMMA,
W/O. OF LATE M.ANAND,
AGED ABOUT 50 YEARS,
RESIDING AT SATHANUR VILLAGE,
JALA HOBLI, YELAHANKA TALUK,
BENGALURU-562149.
5. SRI. NAVEEN KUMAR,
SON OF LATE M.ANAND,
AGED ABOUT 35 YEARS,
RESIDING AT SATHANUR VILLAGE,
JALA HOBLI, YELAHANKA TALUK,
BENGALURU-562149.
6. SMT. ASHA,
DAUGHTER OF LATE M.ANAND,
AGE ABOUT 30 YEARS,
RESIDING AT SATHANUR VILLAGE,
JALA HOBLI, YELAHANKA TALUK,
BENGALURU-562149.
7. SMT. JYOTHI,
DAUGHTER OF LATE M.ANAND,
AGED ABOUT 27 YEARS,
R/AT SATHANUR VILLAGE,
JALA HOBLI, YELAHANKA TALUK,
BENGALURU-562149.

...RESPONDENTS

(BY SMT.SPOORTHY V., HCGP FOR R1 TO R3;
SMT. NIVEDITHA N., ADVOCATE FOR R4 TO R7-ABSENT;
SRI. ANAND KUMAR Y.D., ADVOCATE FOR C/R5-ABSENT)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.

THIS WRIT PETITION IS LISTED FOR ORDERS, THIS DAY,
AN ORDER IS MADE AS UNDER:



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ORAL ORDER

Sri.P.M.Gopi., counsel for the petitioner, and Smt.Spoorthi.V., HCGP for respondents 1 to 3, appeared in person.

2. There is no representation on behalf of respondents 4 to 7. As can be seen from the daily order sheet, the petition was listed on 08.07.2026. On that day, there was no representation on behalf of respondents 4 to 7. Hence, it was ordered to be listed today. Today also, there is no representation on behalf of respondents 4 to 7. Hence, the Court proceeds to pass orders on the merits of the case.

3. The short facts are as follows:

The Sy.No.54, New Sy.No.112, measuring 2 acres, situated at Sathanur Village, Jala Hobli, Bangalore North Taluk (presently Yelahanka Taluk), was granted to one Mr. Maddurappa @ Madduriga on 27.01.1956. He died earlier to 1970. His legal representatives sold the said property in favor of Nanja Mariyappa on 20.11.1972. One of the legal representatives of Maddurappa, namely Papaiah, filed an



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application for resumption of the land before the Assistant Commissioner in Case No. KSC.ST.5/91-92. The Assistant Commissioner, vide Order dated 16.11.1992, rejected the claim. The matter attained finality. There were no further proceedings by the legal representatives of the grantee.

As things stood, one Mr. M. Anand, claiming to be the grandson of the original grantee, filed another application under Section 5 for resumption before the Assistant Commissioner in 2014. The Assistant Commissioner, vide order dated 14.02.2024, allowed the claim. Against that order, an appeal was filed before the Deputy Commissioner. The Deputy Commissioner, vide order dated 21.08.2025, confirmed the order of the Assistant Commissioner. Under these circumstances, the petitioner is before this Court.

4. Counsel appearing for the respective parties advanced several contentions.

Counsel for the petitioner, in presenting his argument strenuously, urged that the original application for the resumption of the land was already rejected in 1992. Hence,



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the question of filing another application in 2014 is not maintainable. He argued that a specific contention regarding the maintainability of the application for the second time was raised before the Assistant Commissioner. However, the same has not been considered. Counsel, therefore, submits that the orders may be set aside and the petition may be allowed.

5. Heard the arguments and perused the papers carefully.

6. The issue is limited in scope and concerns the second application submitted for land resumption.

7. It is enough to note that Mr. Papaiah, claiming to be the legal representative of Mr. Maddurappa, filed an application under Section 5 of the Act, which the Assistant Commissioner rejected on 16.11.1992. This is evident from Annexure-C, the Assistant Commissioner's order. The matter became final as no further proceedings challenged that order. Consequently, there was no need for the so-called grandson of the original grantee to file another application. Therefore, the second application by the grantee's legal representative was not maintainable.



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Nonetheless, the Assistant Commissioner continued to consider the claim, which this Court finds legally unsustainable. The application under Section 5 is rejected. As a result, the impugned orders should be set aside.

8. For the foregoing reasons, the orders of the Assistant Commissioner and the Deputy Commissioner are liable to be set aside.

9. The writ of certiorari is ordered. The order dated 21.08.2025 passed by the Deputy Commissioner vide Annexure-E and the order dated 14.02.2024 passed by the Assistant Commissioner vide Annexure-D are quashed.

10. 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**

MRP
List No.: 1 Sl No.: 33