



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 26717 OF 2025 (GM-RES-PIL)

BETWEEN:

1. SRI C. SRINIVAS REDDY
S/O LATE CHINNAPODU
AGED ABOUT 63 YEARS
R/AT PATHAPALLI VILLAGE
KASABA HOBLI, SRINIVASPUR TALUK
KOLAR DISTRICT - 563 135

...PETITIONER

(BY SRI B.K. NAGARAJ, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF LAW AND JUSTICE
VIDHANA SOUDHA
DR. AMBEDKAR ROAD
SAMPANGI RAMA NAGARA
BENGALURU, KARNATAKA 560 001
REPRESENTED BY ITS SECRETARY
2. THE DEPUTY CONSERVATOR OF FOREST
KOLAR DIVISION
KOLAR, KOLAR DISTRICT - 563 101
3. EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT

Digitally
signed by
SRIDEVI S
Location:
High Court
of Karnataka



KOLAR DIVISION
KOLAR, KOLAR DISTRICT 563 101

4. DEPUTY COMMISSIONER
KOLAR,
KOLAR DISTRICT - 563 101.

...RESPONDENTS

(BY SMT. NILOUFER AKBAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT, ORDER, DIRECTION OR WRIT IN THE NATURE OF MANDAMUS DIRECTING THE 2ND RESPONDENT TO TAKE NECESSARY STEPS TO DEMOLISH THE EXISTING STRUCTURE ON 5 ACRES OF LAND TRANSFERRED TO RESPONDENT No.1 IN SY No.31 SITUATED IN KALLURU VILLAGE SRINIVASPUR TALUK KOLAR DISTRICT.

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

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The petitioner has filed the present petition as a Public Interest Litigation, *inter alia*, praying as under:



"a. Issue a writ, order, direction, or writ in the nature of mandamus directing the 2nd respondent to take necessary steps to demolish the existing structure on 5 acres of land transferred to respondent no.1 in Sy.No.31 situated in Kalluru Village, Srinivaspur Taluk, Kolar District.

b. Such other relief as this hon'ble Court deems fit in the facts and circumstances of this case."

2. The petitioner states that the 5 acres of land falling in Survey No.31, Kallur Village, Kasaba Hobli have been allocated for construction of a court complex residential quarters for Judicial Officers. He states that the said land is forest land and has been illegally diverted for construction of a civil court complex and residential quarters.

3. The learned counsel appearing for respondent No.4 [Deputy Commissioner of Kolar District] submits that as per the survey records, the lands falling in Survey No.31, Kallur Village, Kasaba Hobli, Srinivaspura Taluk, was originally classified as Gomala land (grazing land). As per the original Akarband, the area of lands comprising Survey No.31 are to the extent of 407.25 acres. Out of this, phodi was conducted in respect of 128.09 acres. It is stated



that as per the RTC record, the total extent of land in Survey No. 31 is 326 acres and 17 guntas. Out of the said land, 257 acres and 10 guntas stands in the name of the Forest Department and the balance of 33 acres and 28 guntas is shown as Revenue Land in possession of the Revenue authorities. The Revenue Department has reserved 5 acres of land, out of the land in possession of the Revenue Department for construction of the court complex. Mutation entries in respect to the said land have been carried out and the RTC record now reflects the Judicial Department as the khatedar of the subject land.

4. It is apparent from the above, that there is some discrepancy as to the extent of land falling in Survey No.31. Although, it was initially considered as 407.25 acres, the computerized RTC and the Pahani records the extent of land falling in Survey No.31 as 326 acres and 17 guntas. It is also stated that there was proposal to classify 400 acres falling Survey No.31 as deemed forests under Section 35 of the Mysore Forest Regulation.

5. However, as noted above, the extent of land in Survey No. 31 appears to be less than 400 acres. It is also stated that only 296



acres and 28 guntas were approved for being transferred in the name of the Forest Department. The original notification dated 09.07.1931 where the land in question falling Survey No.31 was to be held as forest is not available on record.

6. It is also stated that the forest area has not been specifically demarcated. It is also pointed out that that by an order dated 15.09.2025, the Government of Karnataka has constituted a Special Investigation Team [**SIT**] at the State and District levels for inquiring into disputes relating to forest land.

7. In the aforesaid backdrop, respondent No.4 has addressed a letter dated 25.03.2026 to the learned Additional Government Advocate proposing further course of action as under:

"6. Further Course of Action

Therefore, in accordance with the report to be submitted by the said Special Investigation Team, if the proposed land is found to fall within the forest jurisdiction, then, as per the applicable provisions of the Forest Department, necessary action will be taken in accordance with law, including compliance under the **Forest (Conservation) Act, 1980**, for diversion of forest land for non-forest purpose, subject to provision of **compensatory / alternative land**, as required under the relevant rules and procedures."



8. We accordingly, disposed of the present petition directing that the said course of action be followed.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(C.M. POONACHA)
JUDGE**