



CNR: KAHC010591732026

NC: 2026:KHC:45581
WP No. 26512 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF AUGUST, 2026

BEFORE

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

WRIT PETITION NO.26512 OF 2026 (KLR-RES)

BETWEEN:

1. SRIRANGAPPA
S/O LATE BANAPPA
AGED ABOUT 76 YEARS
R/AT VENKATESHAPURA,
DODDERI HOBLI,
MADHUGIRI TALUK,
TUMAKURU DISTRICT -572112.
2. KENCHAPPA
S/O LATE BANAPPA
AGED ABOUT 72 YEARS
R/AT VENKATESHAPURA,
DODDERI HOBLI,
MADHUGIRI TALUK,
TUMAKURU DISTRICT -572112.

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CHAYA S A
Location: HIGH
COURT OF
KARNATAKA

...PETITIONERS

(BY SRI. NATARAJ G., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REVENUE DEPARTMENT
REPRESENTED BY ITS
PRINCIPAL SECRETARY



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M.S.BUILDING
DR. B.R. AMBEDKAR VEEDHI
BENGALURU-560003.

2. THE DEPUTY COMMISSIONER
TUMAKURU DISTRICT
TUMAKURU-572101.
3. THE TAHSILDAR
MADHUGIRI TALUK
TUMAKURU DISTRICT
TUMAKURU-572132.
4. THE SURVEYOR
OFFICE OF TAHSILDAR
MADHUGIRI TALUK
TUMAKURU DISTRICT
TUMAKURU-576132.

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE N., HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE NOTICE DATED 20.08.2026 BEARING ISSUED BY THE RESPONDENT NO.3 VIDE ANNEXURE-D.

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

The learned Additional Government Advocate accepts notice for respondents.

2. In this writ petition, the petitioners are assailing the notice dated 20.08.2026, vide Annexure-D, issued by respondent No.3.

3. Heard Sri. Nataraj G. Learned counsel appearing for the petitioners and Sri. Spoorthy Hegde N., learned High Court Government Pleader appearing for the respondent-State.

4. Having heard the learned counsel appearing for the parties and upon careful consideration of the impugned notice at Annexure-D, it would indicate that respondent No.3 has initiated penal action against the petitioners without conducting a survey and spot



inspection in respect of the allegation made against the petitioners regarding the alleged encroachment.

5. In that view of the matter, it is open to respondent No.3 to conduct a spot inspection and survey in respect of the subject land in the presence of the petitioners and thereafter, take a decision in the matter in accordance with law.

6. It is also to be noted that the impugned notice issued by respondent No.3 does not take into consideration the nature of the land in question. Further, it is stated that the petitioners have constructed a house in the schedule property. In that view of the matter, the impugned notice dated 20.08.2026, vide Annexure-D, issued by respondent No.3, is hereby set aside. Accordingly, the writ petition is ***disposed of*** in terms of the observations made above.



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7. Respondent Nos.3 and 4 are hereby directed to conduct a spot inspection and survey in respect of the subject land on 29.09.2026 at 11:00 a.m., in the presence of the petitioners, and thereafter, take an appropriate decision in accordance with law.

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

SB
List No.: 2 Sl No.: 3