

HC-KAR



CNR: KAHC010596002024

NC: 2026:KHC:36013
WP NO.30013 OF 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF JULY, 2026

BEFORE

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

WRIT PETITION NO.30013 OF 2024 (KLR-LG)

BETWEEN:

1. SHIVALINGE GOWDA
SINCE DECEASED, REP. BY LRS.
- 1(a). SMT. GOWRAMMA
W/O SHIVALINGE GOWDA,
AGED ABOUT 55 YEARS,
R/AT INDIRANAGAR, KABBAL,
KANAKPURA,
RAMANAGARA - 562 126.
- 1(b). K.S. RAJENDRA
S/O LATE SHIVALINGE GOWDA,
AGED ABOUT 40 YEARS,
R/AT INDIRANAGAR, SATHNUR HOBLI,
KABBAL, KANAKPURA,
RAMANAGARA DISTRICT - 562 126.
- 1(c). VIJAYAKUMAR K.S.
S/O LATE SHIVALINGEGOWDA,
AGED ABOUT 37 YEARS,
R/AT INDIRANAGAR, SATHNUR HOBLI,
KABBAL, KANAKPURA,
RAMANAGARA DISTRICT - 562 126.
2. SMT. BHAGYAMMA
W/O SHIVASHANKAR,
AGED ABOUT 47 YEARS,
R/AT NO.6, TEMPLE ROAD,
BAPUJI COLONY,
SATHNUR, KANAKAPURA,
RAMANAGARA DISTRICT - 562 126.

...PETITIONERS

(BY SRI. MANJUNATH B.S., ADVOCATE)

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

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AND:

1. STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
MULTI-STORIED BUILDING,
BENGALURU - 560 002.
2. THE DISTRICT COMMISSIONER
RAMANAGARA DISTRICT,
RAMANAGARA.
3. THE DEPUTY COMMISSIONER
RAMANAGARA DISTRICT,
RAMANAGARA.
4. THE TASHILDAR
KANAKAPURA TALUK,
KANAKAPURA,
RAMANAGARA DISTRICT.
5. THE VILLAGE DEVELOPMENT AND PANCHAYATHRAJ
KABALA VILLAGE PANCHAYATH,
RAMANAGARA,
RAMANAGARA DISTRICT,
BY ITS DEVELOPMENT OFFICER.

...RESPONDENTS

(BY SMT. PRATHIMA HONNAPURA, AAG A/W
SMT. B.P. RADHA, AGA FOR R1 TO R4;
SRI. M.S. DEVARAJU, ADVOCATE FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER
DATED 03RD MAY, 2021 PASSED BY THE RESPONDENT NO.3-
DEPUTY COMMISSIONER, RAMANAGARA DISTRICT VIDE
ANNEXURE-E; AND ETC.

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

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

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ORAL ORDER

In this petition, petitioners are challenging the order dated 03rd May, 2021 (Annexure-E), wherein, the respondent No.3-Deputy Commissioner earmarked the subject land to the Rural Development and Panchayat Raj Department for the purpose of Solid Waste Management.

2. The relevant facts for adjudication of this petition are that the petitioners claim to be the owners of land bearing Survey No.17/3 of Sooranahalli, Sathanuru Hobli, Kanakapura Taluk to an extent of 4 acre 6 guntas. It is stated in the petition that the aforementioned survey number was amalgamated with several other survey numbers. The petitioners have produced RTC Extracts at Annexures 'A' and 'B'. The aforesaid land to an extent of 4 acre 6 guntas constituted with an extent of 1 acre 20 guntas was purchased by one Eregowda, 1 acre purchased by his brother Madhegowda and remaining 1 acre 26 guntas was purchased by the petitioner No.2. The respondent No.3-Deputy Commissioner issued Official Memorandum dated 03rd May, 2021 (Annexure-E), earmarking the land belonging to the



petitioners to the Rural Development and Panchayat Raj Department for the purpose of Solid Waste Management. Therefore, the petitioners have presented this petition.

3. Heard Sri. Manjunath B.S., learned counsel appearing for petitioners; Smt. Prathima Honnapura, learned Additional Advocate General along with Smt. B.P. Radha, learned Additional Government Advocate appearing for respondents 1 to 4; and Sri. M.S. Devaraju, learned counsel appearing for the respondent No.5

4. Sri. Manjuanth B.S., learned counsel appearing for petitioners contended that the respondent No.3-Deputy Commissioner has issued impugned Official Memorandum dated 03rd May, 2021 (Annexure-E) without conducting survey to identify the land which is being granted to the Rural Development and Panchayat Raj Department for the purpose of Solid Waste Management and therefore, the land which is granted in the impugned Official Memorandum is overlapping with land belonging to the petitioners. By referring to the Mutation Register dated 05th March, 2024,

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learned counsel appearing for petitioners submitted that the respondent No.3-Deputy Commissioner had erroneously issued the impugned Official Memorandum. He further submits that the right of petitioners is curtailed due to overlapping of the land which has been earmarked for the purpose of Solid Waste Management with the land belonging to the petitioners. Accordingly, he sought for interference of this Court.

5. Per contra, Smt. Prathima Honnapura, learned Additional Advocate General referring to the averments made in the impugned Official Memorandum dated 03rd May, 2021 issued by the respondent No.3-Deputy Commissioner, submits that the land in question is Gomal land and therefore, the said land has been reduced under Section 97(4) of the Karnataka Land Revenue Act as the same is feasible for the purpose of Solid Waste Management. Accordingly, she sought for dismissal of the petition.

6. Sri. M.S. Devaraju, learned counsel appearing for the respondent No.5 submits that the land in question is

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Gomal land and therefore, there is impediment for the Government to utilise the same for the purpose of Solid Waste Management by reducing it under Section 97(4) of the Karnataka Land Revenue Act. Accordingly, he sought for dismissal of the petition.

7. In the light of the submission made by learned counsel appearing for the parties, on careful perusal of writ papers, it is forthcoming that the petitioners are claiming right over the land bearing Survey No.17 of Sooranahalli, Sathanur Hobli, Kanakapura Taluk. However, on careful consideration of the material on record particularly, the report of the Assistant Director of Land Records having sketch prepared and produced by the respondent-Authorities, it forthcoming that the land in question is not belonged to the petitioners. On perusal of the report of the Revenue Authorities dated 15th April, 2025 (Annexure-R7), the same would indicate that the land in question is not being cultivated and free from the public interference. In that view of the matter, taking into consideration the land which is claiming by the petitioners is Gomal land and same

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has been reduced under Section 97(4) of the Karnataka Land Revenue Act for the purpose of Solid Waste Management, which is for the public purpose, I am of the view that, no interference be called for in this petition. However, it is open for the petitioners to take steps to identify the land which is being disputed by learned counsel appearing for the respondents. Accordingly, writ petition is ***dismissed.***

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

ARK
List No.: 1 Sl No.: 7