



CNR: KAHC010600162026

NC: 2026:KHC:48116
WP No. 26899 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 03RD DAY OF SEPTEMBER, 2026

BEFORE

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

WRIT PETITION NO.26899 OF 2026 (KLR-RES)

BETWEEN:

1. MRS PARVATHAMMA
W/O. HEMARAJU,
AGED ABOUT 55 YEARS,
RESIDING AT ANTHARAHALLI VILLAGE,
THOOBAGERE HOBLI,
DODDABALLAPURA TALUK,
BENGALURU RURAL DISTRICT - 561203,
REPRESENTED BY HER
GPA HOLDER AND HUSBAND,
MR. HEMARAJU,
S/O. KEMPEGOWDA

...PETITIONER

(BY SRI. D.R. RAVISHANKAR, ADVOCATE FOR
SRI. C. P. SOMANNA, ADVOCATE)

Digitally signed by
CHANDRA S A

Location: HIGH
COURT OF
KARNATAKA

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
M.S. BUILDING,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU - 560001.



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2. THE ASSISTANT COMMISSIONER,
DODDABALLAPURA SUB-DIVISION,
KANDAYA BHAVAN,
BENGALURU RURAL DISTRICT,
BENGALURU - 561204.

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE N.,HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT RESPONDENT NO.2 - THE ASSISTANT COMMISSIONER, DODDABALLAPURA SUB-DIVISION TO FORTHWITH HEAR AND DISPOSE OF THE APPLICATION DATED 26.12.2025 FILED IN R.A. NO.213/2011-12 SEEKING MAINTENANCE OF STATUS QUO AND RESTRAINT AGAINST CREATION OF THIRD-PARTY RIGHTS, WITHIN A TIME FRAME FIXED BY THIS HON'BLE COURT; AND ETC.

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

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

ORAL ORDER

In this writ petition, the petitioner has sought for a writ of mandamus directing Respondent No. 2 – the Assistant Commissioner, Doddaballapura Sub-Division, to dispose of the application dated 26.12.2025 in R.A.



No. 213 of 2011-12, and also sought a direction to maintain status quo and restrain the respondents from creating any third-party rights in respect of the land in question.

2. Heard Sri. D. R. Ravishankar, learned Senior counsel appearing on behalf of Sri. C.P. Somanna, for the petitioner and Sri. Spoorthy Hegde, learned HCGP appearing for the respondent-State.

3. Sri D.R. Ravishankar, learned Senior Counsel appearing for the petitioner, while referring to the order sheet produced at Annexure-C, submitted that though the private respondents have been impleaded in the above proceedings, the impleading applications have not been considered and allowed by Respondent No.2. Therefore, learned Senior Counsel submits that interference by this Court is called for.



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4. It is also argued by the learned Senior Counsel, referring to the order dated 09.04.2025 passed in W.P. No.11077 of 2025, produced at Annexure-A, that the direction issued by this Court in paragraph No.3 thereof has not been complied with. Accordingly, learned Senior Counsel sought for allowing the writ petition.

5. Per contra, Sri. Spoorthy Hegde N., learned Additional Government Advocate appearing for the respondent-State sought to justify the order passed by Respondent No. 2. Accordingly, an affidavit dated 03.09.2026 of Sri Manjunatha T.R., son of Ramachandra Reddy, Assistant Commissioner, Doddaballapura Sub-Division, has been filed. On the strength of the said affidavit, learned Additional Government Advocate sought for disposal of the writ petition.



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6. In the light of the arguments advanced by the learned counsel appearing for the parties, this Court, vide order dated 09.04.2025 passed in W.P. No. 11077 of 2025, produced at Annexure-A, directed Respondent No. 2 herein to dispose of R.A. No. 213 of 2011-12 within an outer limit of three months from the date of receipt of a certified copy of the said order.

7. It is also forthcoming from the order sheet produced at Annexure-C that some of the persons were impleaded in the proceedings. On careful consideration of the order sheet produced at Annexure-C, would indicate that the impleading applications have not been considered and appropriate orders have not been passed on the averments made in the said impleading applications. However, it is forthcoming that the final order has been passed by



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Respondent No. 2 on 28.08.2026, without passing order on the impleading applications.

8. In that view of the matter, taking into consideration the interest of the parties, and as there is a procedural irregularity committed by Respondent No. 2, I am of the opinion that the order dated 28.08.2026 is required to be set aside and the matter is required to be remitted to Respondent No. 2 for fresh consideration and disposal of the appeal, at the earliest, within an outer limit of six months from the date of receipt of a certified copy of this order.

9. It is also to be noted that the matter pertains to the year 2011-12. Therefore, the parties are directed to appear before Respondent No. 2 on 06.10.2026 at 3:00 p.m. It is needless to say that Respondent No. 2 shall dispose of the appeal in



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accordance with law, after providing reasonable opportunity to all the parties concerned.

10. Accordingly, the writ petition is allowed in part. The order dated 28.08.2026 passed by Respondent No. 2 is hereby set aside. The matter is remitted to Respondent No. 2 for fresh consideration and disposal in accordance with law and in terms of the observations made hereinabove.

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

SB
List No.: 1 Sl No.: 112