



CNR: KAHC010600712023

NC: 2026:KHC:52564
WP No. 26280 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 26280 OF 2023 (SC/ST)

BETWEEN:

SRI RAVI
S/O MUNIYAPPA,
AGED ABOUT 41 YEARS,
R/AT BISUVANAHALLI VILLAGE,
KASABA HOBLI,
DODDABALLAPURA TALUK,
BENGALURU RURAL DISTRICT-561 203.

...PETITIONER

(BY SRI. V RAJAIAH., ADVOCATE-ABSENT)

AND:

1. THE DEPUTY COMMISSIONER
OFFICE OF THE DISTRICT BHAVAN,
1ST FLOOR, BEERASANDRA VILLAGE,
KUNDANU HOBLI,
DEVANAHALLI TALUK,
BENGALURU RURAL DISTRICT,
BENGALURU-561 203.
2. THE ASSISTANT COMMISSIONER
DODDABALLAPURA SUB DIVISION,
DODDABALLAPURA-561 203.
3. SRI. RAJESH H CHABRIYA
S/O LATE SRI. HARI RAM CHABRIA,
AGED ABOUT 62 YEARS,



CNR: KAHC010600712023

NC: 2026:KHC:52564
WP No. 26280 of 2023

R/O FLAT NO.1, "PINE VIEW BUILDING",
NO.9, EDWARD ROAD,
BENGALURU-560 052.

...RESPONDENTS

(BY SMT. SAVITHRAMMA., AGA FOR R1 AND R2
SMT. VAISHALI HEGDE., ADVOCATE FOR
SRI. ABHISHEK HAPPALI., ADVOCATE FO R3)

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

THIS WRIT PETITION IS LISTED FOR PRELIMINARY
HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS
UNDER:

ORAL ORDER

Though matter called twice, there is no representation no
behalf of the petitioner.

The petition was listed on 17.08.2026, on that day, none
appeared for the petitioner and it was ordered to be listed
today. Today, as already noted above, there is no
representation no behalf of counsel for the petitioner. Hence,
the Court proceeds to pass orders on the merits of the case.

Smt.Savithramma., Additional Government Advocate for
respondent Nos. 1 & 2, and Smt.Vaishali Hegde., counsel on



behalf of Sri.Abhishek Happali., for respondent No.3 appeared in person.

2. The petition is filed seeking a writ of certiorari to quash the order passed by the Deputy Commissioner. This order is challenged in this writ petition on several grounds as set out in the memorandum of the writ petition.

3. Counsel for the respective parties advanced several contentions. The Court heard the arguments and carefully perused the papers.

4. The issue involved in the present case is confined to the resumption proceedings. The land in question was granted in favor of one Muniswamaiah in 1962. Subsequently, the said land was alienated in 1973 under a registered sale deed. Thereafter, several transactions of sale took place in respect of the said property.

Nearly 19 years after the alienation, in the year 1994-95, resumption proceedings were initiated before the Assistant Commissioner. The Assistant Commissioner rejected the claim in 1998, and the said order attained finality. No further



CNR: KAHC010600712023

**NC: 2026:KHC:52564
WP No. 26280 of 2023**

proceedings were initiated thereafter, and the land was subsequently converted for non-agricultural purposes.

While matters stood thus, the petitioner, claiming to be a family member of the original grantee, initiated fresh proceedings for resumption of the land in the year 2016. The Assistant Commissioner allowed the claim and ordered resumption of the land. Aggrieved by the said order, respondent No.3 preferred an appeal before the Deputy Commissioner. The Deputy Commissioner set aside the order passed by the Assistant Commissioner and consequently allowed the appeal.

The initiation of the second round of resumption proceedings by the petitioner cannot be sustained. The earlier resumption proceedings had already attained finality. The petitioner, therefore, could not have instituted a second application seeking resumption of the very same land, particularly when the earlier proceedings had culminated in an order which had attained finality.



CNR: KAHC010600712023

NC: 2026:KHC:52564
WP No. 26280 of 2023

Apart from the above, the land in question has subsequently been converted for non-agricultural purposes. The Law is settled by this Court that, upon conversion of granted land, the provisions of the PTCL Act would not be attracted. In view of the same, the Deputy Commissioner was justified in setting aside the order passed by the Assistant Commissioner. I find no ground to interfere with the order passed by the Deputy Commissioner. Accordingly, the writ petition stands ***dismissed***.

In view of the dismissal of the writ petition, any interim order granted in the matter stands discharged. Consequently, all pending interlocutory applications, if any, stand disposed of.

**SD/-
(JYOTI M)
JUDGE**

MRP
List No.: 1 Sl No.: 31