



CNR: KAHC010609642026

NC: 2026:KHC:48200  
WP No. 27485 of 2026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 2<sup>ND</sup> DAY OF SEPTEMBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ**

**WRIT PETITION NO. 27485 OF 2026 (GM-FOR)**

**BETWEEN:**

MR. V. NAGARAJ  
AGED ABOUT 55 YEARS,  
S/O. VENKATARAMANAPPA,  
RESIDENT OF GATTIGEREPALYA,  
VIDYAPEETA POST, 6TH STAGE,  
BANASHANKARI,  
BENGALURU - 60

...PETITIONER

(BY SRI. RAJAGOPALA NAIDU, ADVOCATE)

**AND:**

Digitally signed  
by SHWETHA  
RAGHAVENDRA  
Location: HIGH  
COURT OF  
KARNATAKA

1. THE ASSISTANT CHIEF SECRETARY  
PRINCIPAL SECRETARY,  
GOVERNMENT OF KARNATAKA,  
FOREST DEPARTMENT,  
ROOM NO.448, 4TH FLOOR,  
GATE NO.2, M.S. BUILDING,  
BENGALURU - 560 001,
2. THE PRINCIPAL CHIEF CONSERVATOR OF FOREST,  
ARANYA BHAVAN, 4TH FLOOR,  
18TH CROSS,  
MALLESHWARAM,



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BENGALURU - 03,  
REPRESENTED BY ITS SECRETARY,

...RESPONDENTS

(BY SMT. SARITHA KULKARNI, AGA FOR RESPONDENT/S/STATE)

THIS WP IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO i. DIRECTING THE 2ND RESPONDENT TO HANDOVER 290/269 ACRES OF LAND IN SY. NO. 92 OF B.M. KAVAL VILLAGE, KENGERI HOBLI, BENGALURU SOUTH TALUK BE HANDED OVER TO THE PETITIONER AS IT BELONGS TO THE PETITIONER AND OTHER JOINT OWNERS BY CONSIDERING THE REPRESENTATION DT. 03/08/2026 AS PER ANNEX-M AND N ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ



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**ORAL ORDER**

1. Learned Additional Government Advocate accepts notice for the respondents.
2. Petitioner is before this Court seeking for the following reliefs:
  - a. *Issue a writ of mandamus directing the 2nd respondent to handover 290/269 acers of land in Sy.No.92 of B.M.Kaval Village, Kengeri Hobli, Bengaluru South Taluk be handed over to the petitioner as it belongs to the petitioner and other joint owners by considering the representation dt:03.08.2026 as per Annexures-M & N*
  - b. *.Issue a Writ of Mandamus directing the respondents to cancel the revenue entries made in M.R.No.T26/2016-17 as per "Annexure-F and RTC as per Annexure-G in the name of the 2nd respondent deleting by incorporating the name of the petitioner and other joint owners.*
3. The case of the petitioner is that his grandfather was the owner of the land in question and that an extent of 590.11 acres in Survey No.92 of B.M. Kaval Village, Kengeri Hobli, Bengaluru South Taluk, had been granted to him by His Highness the Maharaja of Mysore. It is the further contention of the petitioner that, notwithstanding his alleged title to the property, the possession thereof is presently with the Forest Department. On the said premise, the petitioner is stated to have submitted representations dated 03.08.2026, produced at



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**WP No. 27485 of 2026**

Annexures-M and N, seeking restoration of possession of the aforesaid property, and has approached this Court seeking a writ of mandamus.

4. The petitioner has also sought a direction for cancellation of the revenue entries said to have been effected pursuant to M.R. No. T26/2016-17, produced at Annexures-F and G.
5. The principal relief sought by the petitioner, however, is for a writ of mandamus directing the respondents to hand over possession of the aforesaid property to the petitioner on the premise that the property belongs to him. The grant of such a relief under Article 226 of the Constitution of India would necessarily require an adjudication upon the petitioner's asserted title and corresponding right to possession, particularly when the possession of the property is stated to be with the Forest Department. Such disputed questions of title and possession cannot appropriately be adjudicated in proceedings seeking a writ of mandamus.
6. If the petitioner asserts a right, title or interest in respect of the property and claims to be entitled to possession thereof, it is open to him to institute appropriate proceedings before the competent forum



**CNR: KAHC010609642026**

seeking declaration of his rights and consequential reliefs, including possession, in accordance with law. The question as to the petitioner's title, the validity and effect of the alleged grant, the nature of the rights created thereunder, and the entitlement to possession are matters which require adjudication in appropriate civil proceedings and cannot be determined merely on the basis of the representations submitted by the petitioner.

7. In the absence of an adjudicated or otherwise legally enforceable right in favour of the petitioner to seek delivery of possession from the respondents, no corresponding public duty can be said to arise upon the respondents which can be enforced by issuance of a writ of mandamus. Consequently, the petitioner cannot seek a writ directing consideration of the representations for the purpose of securing possession of the property.
8. Insofar as the challenge to the revenue entries made pursuant to M.R. No. T26/2016-17 is concerned, the petitioner is at liberty to avail himself of such statutory or other remedies as may be available to him in law.



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**WP No. 27485 of 2026**

9. Reserving liberty to the petitioner to avail of such remedies as may be available to him in accordance with law, the petition stands disposed of.
10. It is made clear that no opinion is expressed on the petitioner's claim of title, the validity or effect of the alleged grant, the rights of the Forest Department, or the entitlement of either party to possession of the property. All such questions are left open for consideration by the competent forum in appropriate proceedings.

**Sd/-**  
**(SURAJ GOVINDARAJ)**  
**JUDGE**

GJM  
List No.: 1 Sl No.: 19