



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 28TH DAY OF JANUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE R DEVDAS
WRIT PETITION NO. 31201 OF 2025 (KLR-RR/SUR)

BETWEEN:

MANJULA
D/O. LATE GANGAPPA
AGED ABOUT 40 YEARS
R/AT PILLAGUPPA VILLAGE
CHOKKAHALLI GATE
KASABA HOBLI, HOSKOTE TALUK
BENGALURU - 562 114.

...PETITIONER

(BY SMT. DIVYA K., ADVOCATE)

AND:

1. THE TAHSILDAR
REVENUE DEPARTMENT
BANGALORE NORTH TALUK - 560 002.
2. THE SPECIAL TAHSILDAR
REVENUE DEPARTMENT
BANGALORE NORTH TALUK - 560 002.
3. THE ASSISTANT COMMISSIONER
BENGALORE NORTH SUB-DIVISION
BANGALORE - 560 002.

...RESPONDENTS

(BY SMT. NAVYA SHEKHAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS TO CONSIDER THE REPRESENTATION DATED 02.01.2025 GIVEN BY THE PETITIONER I.E., ANNEXURE-E AND ENTER THE NAME OF PETITIONER IN RTC COLUMN NO.9 AND 12 AND ETC.

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by
SHARADAVANI
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Location: High
Court of
Karnataka



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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

Learned Additional Government Advocate takes notice for all the respondents.

2. The grievance of the petitioner is that even after the orders passed by the Assistant Commissioner in proceedings bearing number K.SC.ST.10/1983-84 attaining finality by virtue of the orders passed by this Court in W.P.No.4743/1989 dated 23.09.1993 dismissing the Writ Petition filed by the purchasers, no action is taken by the Tahsildar, Bengaluru North Taluk to resume and restore the possession of the lands in question in favour of the legal heirs of the original grantee Sri.L.Mylarappa in respect of 10 acres of land in Sy.No.42 renumbered as Sy.No.107/1A1 of Mallathahalli Village, Bengaluru North Taluk. Learned counsel for the petitioner has also drawn the attention of this Court to Annexure-E RTC of the year 2025-26 reflecting the name of Sri.H.Mallaiah, son of Hanumaiah, who is the purchaser against whom the orders have been passed by the Competent Authority



viz., the Assistant Commissioner, which has been upheld at the hands of this Court.

3. Having regard to the grievance of the petitioner, respondent No.3, Assistant Commissioner Bengaluru North Sub-Division is required to take action in terms of Sub-Rule 6 of Rule 3 of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Rules, 1979 (for short 'the Rules, 1979'). Sub-Rule 6 of the Rules, 1979 mandates that the Assistant Commissioner shall after passing orders declaring the sale transactions as null and void, is required to take possession of the lands after evicting the persons in possession thereof in the manners specified in Section 39 of the Karnataka Land Revenue Act, 1964 (for short 'the Act, 1964') and take further action as provided in Section 5 of the PTCL Act. Therefore, the Assistant Commissioner is required to proceed in terms of Section 39 of the Act, 1964 by serving a notice on the persons in possession of the land in question requiring them within such time as may appear reasonable after receipt of the said notice to vacate the land and if such notice is not obeyed, the Assistant Commissioner



may depute a subordinate officer to remove all such persons who may refuse to vacate the same. All further action shall be taken in terms of Section 39 of the Act, 1964 to restore possession in favour of the legal heirs of Late Sri. L.Mylarappa, the original grantee.

Accordingly the writ petition stands ***disposed of*** with a direction to respondent No.3-Assistant Commissioner, Bengaluru North Sub-Division to act in accordance with law and in terms of the directions issued herein as expeditiously as possible and at any rate within a period of three months to resume possession of 10 acres of land in Sy.No.42 renumbered as Sy.No.107/1A1 of Mallathahalli Village, Bengaluru North Taluk and restore the same in favour of the legal heirs of Late Sri.L.Mylarappa the original grantee. Pursuant thereto the revenue records shall also be mutated accordingly.

Ordered accordingly.

Sd/-
(R DEVDAS)
JUDGE