



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 33709 OF 2025 (KLR-RES)

BETWEEN:

1. SRI N T VENKATESHAIAH
AGED ABOUT 76 YEARS,
S/O. LATE THIMMAPPA @ THIMMAPPALAH,
2. SRI. YESHWANTH KUMAR N.V.
AGED ABOUT 39 YEARS,
S/O. VENKATESHAIAH
BOTH ARE R/A NIDAVALLU VILLAGE,
HEBBUR HOBLI, TUMAKURU TALUK,
TUMAKURU DISTRICT -572 120.

...PETITIONERS

(BY SRI.VIVEK.B.N., ADVOCATE FOR
SRI.A. ABHINAV RAMANAND., ADVOCATE)

Digitally signed
by JUANITA
THEJESWINI
Location: HIGH
COURT OF
KARNATAKA

AND:

1. THE STATE OF KARNATAKA
REVENUE DEPARTMENT,
M.S. BUILDING,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU 560 001.
REP. BY ITS SECRETARY.
2. THE TAHSILDAR
TUMKURU TALUK,
TUMKURU DISTRICT - 572 101.
3. THE ASSISTANT DIRECTOR OF
LAND RECORDS,



TUMKURU TALUK,
TUMKURU DISTRICT - 572 101.

4. THE COMMISSIONER,
SURVEY SETTLEMENT AND LAND RECORDS,
AMBEDKAR VEEDHI,
K.R.CIRCLE, BENGALURU 560 001.
5. THE DEPUTY DIRECTOR OF LAND RECORDS
(P.M.U), AMBEDKAR VEEDHI, K.R.CIRCLE,
BENGALURU 560 001.

...RESPONDENTS

(BY SMT. NAVYA SHEKHAR., AGA)

THIS W.P. IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ENDORSEMENT BEARING NO.PHADA/CR/09/2021-21 DATED 22.09.2022 ISSUED BY THE 2ND RESPONDENT AT ANNEXURE - J TO THE PRESENT WRIT PETITION AND CONSEQUENTLY, DIRECT THE 2ND RESPONDENT AND THE 3RD RESPONDENT TO RESTORE PHADA IN RESPECT OF THE SCHEDULE PROPERTY AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

The grievance of the petitioners is in respect of the land measuring 2 acres and 10.08 guntas in Sy.No.12 situated at Niduvalalu Village, Hebbur Hobli, Tumkur Taluk and District, which were acquired by the petitioners and their names were entered in the revenue records as can



be seen in the RTCs. However, the respondent-Tahsildar issued an endorsement on 22.09.2022 stating that the request made by the petitioners for restoration of PADA cannot be granted since the application is not submitted within the stipulated time. Therefore, the petitioners are before this Court for removal of the entry of 'SARKARI PADA' and to enter the name of petitioners in the land revenue records. The learned counsel for the petitioners further submits that there is no entry of the word "PADA" in the RTC however the petitioners are willing to pay the requisite arrears as would be informed by the Tahsildar and get the same removed.

3. This Court, in the case of ***Shivanna Vs. Deputy Commissioner*** in ***W.P.No.19639/2021*** dated ***05.09.2022*** has held that having regard to Section 163 of the Karnataka Land Revenue Act, 1964, and Rule 119 of the Karnataka Land Revenue Rules, 1966, that in normal circumstances where there are arrears of land revenue, it is not the intention of the Government to forfeit



agricultural lands. The provisions are clearly directed towards the other cases where charges are created by orders passed by Courts of law and other competent authorities where the parties are in default for payment and the Courts and authorities deem it fit to direct recovery of such debts to be collected as arrears of land revenue. In all other cases, in terms of the amended provision, which came into effect from 01.04.1988, the Government has granted relaxation and enabled the revenue authorities to accept the application for cancellation of forfeiture even in cases where the land was sold and purchased on account of the Government dues, but which were not disposed of otherwise.

4. Consequently, the writ petition is ***disposed of.*** The impugned endorsement issued by the respondent-Tahsildar dated 22.09.2022 at Annexure-J is hereby quashed and set aside. The respondent no.2-Tahsildar, Tumkur Taluk, is directed to look into the veracity of the claims made by the petitioners herein. If it is found that



the same are true, the Tahsildar shall satisfy himself of the same. Thereafter, he shall inform the petitioners of the arrears of land revenue within a period of four weeks from the date of receipt of a copy of this order. If the petitioners are called upon to pay the arrears of land revenue, they shall pay the same and after payment of the arrears of land revenue, the forfeiture clause shall be removed and the names of the petitioners shall be entered in the revenue records in respect of the land measuring 2 acres 10.08 guntas in Sy.No.12 situated at Niduvalalu Village, Hebbur Hobli, Tumkur Taluk and District, in Column No.9 of the RTC within a period of two months from the date of payment of the arrears of land revenue, in accordance with law.

Pending I.As., if any stand disposed of accordingly.

Sd/-
(R DEVDAS)
JUDGE

JT/-
CT: JL