



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 06TH DAY OF JULY, 2026

BEFORE

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

WRIT PETITION NO.35425 OF 2024 (KLR-RES)

BETWEEN:

SRI. J. SRINIVAS REDDY
S/O LATE B. JAYARAM
SINCE DECEASED REP. BY LRS.

1. SMT. LALITHA SRINIVAS REDDY
WIFE OF LATE J. SRINIVAS REDDY
AGED ABOUT 82 YEARS
RESIDING AT NO.88,
SRINIVASA REDDY LAYOUT,
ALAHALLI VILLAGE,
ANJANAPURA POST,
J.P.NAGAR 9TH PHASE,
BENGALURU - 560 062.

Digitally signed by
CHAYASA
Location: HIGH
COURT OF
KARNATAKA

SRI. J. SURENDRA REDDY
SINCE DECEASED REP. BY LRS.

2. SRI. PRATAP REDDY,
SON OF J.SURENDRA REDDY
AGED ABOUT 50 YEARS,
RESIDING AT NO.80,
SRINIVASA REDDY LAYOUT,
ALAHALLI VILLAGE,
ANJANAPURA POST,
J.P.NAGAR 9TH PHASE,
BENGALURU - 560 062.



3. SRI. JAYARAM REDDY,
SON OF J SURENDRA REDDY,
AGED ABOUT 55 YEARS,
RESIDING AT APT 'D', SONA GARDEN
APARTMENTS, NO.18,
ALEXANDRIA STREET,
RICHMOND TOWN,
BENGALURU - 560 025.

...PETITIONERS

(BY SRI. AJESH KUMAR S.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY
THE PRINCIPAL SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT,
3RD GATE, 5TH FLOOR
M.S. BUILDING,
DR. AMBEDKAR VEEDI,
BENGALURU - 560001.
2. THE SPECIAL DEPUTY COMMISSIONER-II
BENGALURU SOUTH SUB-DIVISION,
K.G. ROAD,
BENGALURU - 560009.
3. THE TAHASILDAR
BENGALURU NORTH TALUK,
YELAHANKA,
BENGALURU -560001.

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE SHOW CAUSE NOTICE DATED 24.05.2024 VIDE NO. NCR(2) (S) CR.02/2024-25 ISSUED BY THE RESPONDENT NO.2 AT ANNEXURE-A; 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 petitioners have assailed the show cause notice dated 24.05.2024 issued by respondent No.2 (Annexure-A) and the order dated 30.06.2024 passed by respondent No.2 (Annexure-B).

2. Heard Sri. Ajesh Kumar S., learned counsel for the petitioners and Smt. B.P. Radha, learned Additional Government Advocate appearing for the respondent-State.

3. Learned counsel for the petitioner contends that respondent No.2 has invoked the provisions of Section 67(2) of the Karnataka Land Revenue Act, 1964,



alleging that the petitioner has encroached upon the land in question and directing the petitioner to remove the alleged encroachment. It is further submitted that the respondent-authorities have failed to take into consideration the proceedings /communication dated 16.10.2001 (Annexure-G), which, according to the petitioner, evidences that the land had already been converted upon payment of the requisite conversion charges. It is, therefore, contended that the impugned order at Annexure-B has been passed without considering the relevant material on record and consequently warrants interference by this Court.

4. Per contra, learned Additional Government Advocate seeks to justify the impugned show cause notice and the consequential order passed by respondent No.2, contending that the authorities have exercised the powers vested in them under Section 67(2) of the Karnataka Land Revenue Act, 1964. It is



submitted that the Assistant Director of Land Records (ADLR) conducted a survey, prepared a sketch dated 14.12.2023, identified the alleged encroachment by the petitioners, and, based on the said survey report, respondent No.2 has rightly passed the impugned order. Accordingly, sought for dismissal of the writ petition.

5. Having heard the learned counsel appearing for the parties and upon careful consideration of the material on record, this Court finds that the impugned order at Annexure-B has been passed primarily on the basis of the sketch prepared by the ADLR dated 14.12.2023, concluding that the petitioners have encroached upon Government land. However, the records produced along with the writ petition prima facie indicates that the land in question had been converted and that the prescribed conversion charges had been paid to the State by the petitioners. Further, the impugned order does not disclose that the survey was



conducted in the presence of the petitioners or that the petitioners were afforded an opportunity to participate in the survey proceedings.

6. In order to resolve the dispute conclusively and to ensure adherence to the principles of natural justice, this Court is of the opinion that a joint survey and spot inspection of the land in question are required to be conducted by respondents No.3 and 4 in the presence of the petitioners, after verifying all the relevant revenue records and title documents relied upon by the parties. Upon completion of such survey, an appropriate report shall be submitted to respondent No.2 for fresh consideration.

7. Accordingly, respondents No.3 and 4 are directed to conduct a spot inspection and joint survey of the land in question in the presence of the petitioners on 17.08.2026 at 11.00 a.m., after issuing due notice to all concerned.



8. In the above circumstances, the following order is passed:

ORDER

- (i) The writ petition is ***allowed***.
- (ii) The show cause notice dated 24.05.2024 (Annexure-A) and the order dated 30.06.2024 (Annexure-B) passed by respondent No.2 are hereby set aside.
- (iii) The matter is remitted to respondent No.2 for fresh consideration on the basis of the report to be submitted by respondents No.3 and 4 after completion of the joint survey and spot inspection.
- (iv) Respondents No.3 and 4 shall conduct the joint survey and spot inspection on 17.08.2026 at 11.00 a.m. in the presence of the petitioners,



after verifying the relevant revenue records and title documents relied upon by the parties.

(v) Thereafter, respondent No.2 shall afford an opportunity of hearing to the petitioners, consider the survey report along with all the documents that may be produced by the petitioners, and thereafter, pass a reasoned and speaking order in accordance with law, as expeditiously as possible.

SD/-
(E.S.INDIRESH)
JUDGE

SB
List No.: 1 Sl No.: 4