



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF JUNE, 2026

BEFORE

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

WRIT PETITION NO.34121 OF 2024 (KLR-RES)

BETWEEN:

GADDEGOWDA B.G.
S/O LATE GADDEGOWDA
AGED ABOUT 65 YEARS
R/AT BEERAGOWDANAHALLI VILLAGE,
DUDDA HOBLI,
MANDYA TALUK - 571 401.

...PETITIONER

(BY SRI. NANJUNDARADHYA B.G., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS
CHIEF SECRETARY
VIDHANA SOUDHA
DR. AMBEDKAR VEEDHI
BENGALURU - 560 001.
2. TAHASILDAR
MANDYA TALUK
MANDYA DISTRICT - 571 401.
3. POLICE INSPECTOR
MANDYA RURAL POLICE STATION
MANDYA - 571 401.

Digitally signed by
CHAYASA
Location: HIGH
COURT OF
KARNATAKA



4. ASSISTANT DIRECTOR OF LAND RECORDS (ADLR)
MANDYA TALUK
MANDYA - 571 401.
5. MADHUPRIYA B.
W/O VARUN BHYRAPPA
AGED ABOUT 37 YEARS
VINAYAKA LAYOUT
BENGALURU - 560 040.

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA FOR R1 TO R4;
SRI. PRAKASH M.H., ADVOCATE FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE IMPUGNED ORDER BEARING NO.M.S.C.C.R.
397/2024-25 DATED 28.10.2024 PASSED BY THE RESPONDENT
NO.2 VIDE ANNEXURE-A; DIRECT THE RESPONDENTS NO.1 TO
4 TO PROVIDE SUITABLE PROTECTION TO THE PETITIONER
AND HIS PROPERTY.

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



CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

1. In this petition, petitioner is assailing the Order dated 28.10.2024 (Annexure-A) passed by respondent No.2, inter alia, sought for a direction to respondent Nos.1 to 4 to provide protection to the petitioner and his property.

2. It is contended by Sri. Nanjundaradhya B.G., learned counsel for the petitioner, that the petitioner had acquired the land bearing Survey No. 42/3 measuring 1.07 acres, situated Beeragowdanahalli Village, Dudda Hobli, Mandya Taluk. It is stated that the petitioner has purchased the same as per registered sale deed dated 23.01.2003 (Annexure-B). It is also stated that the revenue records stand in the name of the petitioner in so far as the subject land is concerned. However, it is the grievance of the petitioner that there is an error in showing the extent of land in the mutation record and as such, the petitioner has made a representation dated 18.09.2024(Annexure-E) to the respondent No.2, requesting to rectify the same. In the meanwhile, the petitioner came to



know that the respondent No.5 is putting up fence in the land belonging to the petitioner and the same was resisted by the petitioner. It is also contended by the learned counsel, that the petitioner herein has filed O.S.No.798/2024 before the Civil Judge and JMFC at Mandya seeking relief of permanent injunction against the defendant therein and the suit is pending consideration before the competent Court. Hence, it is contended by the learned counsel for the petitioner that respondent No.2 has committed an error in addressing a letter to respondent No.3 to provide police protection to respondent No.5 to put up fence in the land belonging to the petitioner and therefore challenges the letter dated 28.10.2024 as per Annexure-A to the Writ Petition.

3. Per contra, Sri. Prakash M.H., learned counsel appearing for the respondent No.5, by referring to the order dated 08.12.2025 passed by this Court and also to the averments made in the Writ Petition submitted that, since the lis between the parties is with regard to the boundaries and therefore, the petitioner has to establish his right over the property before the



Trial Court in the suit and accordingly sought for dismissal of the Writ Petition.

4. Learned Additional Government Advocate also argued in favour of the impugned order at Annexure-A and submitted that, pursuant to the order passed by this Court, ADLR has conducted spot inspection and sketch has been prepared and same is filed before this Court and accordingly sought for dismissal of the Writ Petition.

5. In the light of the submissions made by the learned counsel appearing for the parties, and taking into consideration the averments made in the Writ Petition, would indicate that there is a boundary dispute between the parties as to the subject land is concerned. It is also to be noted that this Court vide Order dated 08.12.2025, directed the jurisdictional Assistant Director of Land Records, Mandya, to conduct survey and to file a report before this Court in respect of the subject land is concerned. Pursuant to the same, the ADLR, Mandya, has conducted survey on 31.12.2025 and accordingly the report is filed before this court. The said report is disputed by the learned counsel representing the petitioner. However,



taking into consideration that the suit in O.S.No.798/2024 is pending consideration before the Civil Court and therefore, I am of the view that, the impugned order passed by respondent No. 2, providing police protection in so far as the respondent No.5 is concerned to put up the fence, cannot be interfered with, as the same is in consonance with the report filed by the ADLR before this Court. Be that as it may be, it is open for the petitioner to establish right over the property in question, in the pending suit.

6. Accordingly, the Writ Petition is dismissed.
7. Pending I.A., if any, does not survive for consideration.

SD/-
(E.S.INDIRESH)
JUDGE

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List No.: 1 Sl No.: 16