HC-KAR

NC: 2026:KHC:17278
WP No. 34472 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 34472 OF 2025 (KLR-RR/SUR)

BETWEEN:

SMT NAGARAHTNAMMA @ RATHNAMMA
W/O LATE K.RAJANNA,
AGED ABOUT 75 YEARS,
R/AT NO.94, NAVANEETH KRUPA,
OPP: SAPHAGIRI APARTMENTS,
GYM ROAD, HORAMAVU AGARA,
BENGALURU - 560 043.

...PETITIONER

(BY SRI. P.N. NANJA REDDY.,ADVOCATE)

AND:

Digitally signed by JUANITA THEJESWINI
Location: HIGH COURT OF KARNATAKA

1. ASSISTANT COMMISSIONER
   BENGALURU DODDABALLAPUR SUB DIVISION,
   DODDABALLAPUR
   BENGALURU RURAL DISTRICT – 562114

2. THE TAHSILDAR,
   DEVANAHALLI TALUK,
   DEVANAHALLI,
   BENGALURU RURAL DISTRICT-562114

...RESPONDENTS

(BY SRI.SHAMANTH NAIK., HCGP)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE 2ND

RESPONDENT TO EFFECT PHODI AND DURASTI BY FIXING THE BOUNDARIES IN RESPECT OF THE LAND IN SY.NO.1 MEASURING 6.00 ACRES SITUATED AT DHARMAPURA VILLAGE, VIJAYAPURA HOBLI, DEVANAHALLI TALUK AS PER THE REVENUE RECORDS VIZ., RTC AND PAHANI AND MUTATION AND BASED ON THE POSSESSION CONSIDERING THE REPRESENTATION DATED 21-04-2025 AT ANNEXURE-J AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

The petitioner is seeking a writ of mandamus, to direct the second respondent-Tahsildar, Devanahalli Taluk, to conduct phodi and durast of the lands belonging to the petitioner, viz., 6 acres of land in Sy. No.1 of Dharmapura Village, Vijayapura Hobli, Devanahalli Taluk. Earlier too, the petitioner had filed W.P.No.6494/2024 and this Court by order dated 27.05.2024 directed the respondent-Tahsildar, Devanahalli Taluk to consider the representation dated 04.11.2023 given by the petitioner and conduct the phodi and durasth. Nevertheless, when the Tahsildar failed to comply with the directions, the petitioner filed a contempt petition in CCC No.1262/2024 and the Hon'ble Division Bench noticed that no time limit was fixed

by this Court while issuing directions to the Tahsildar. Nevertheless, the contempt petition was disposed of with a direction to the Tahsildar to conduct the phodi and durast within eight weeks from the date of receipt of a copy of the order. Nevertheless, the Tahsildar has failed to conduct the phodi and durast and therefore the present petition is filed.

2. On the previous date of hearing, this Court recorded the submissions made by the learned High Court Government Pleader that no original records are available and therefore the respondent-authorities are not in a position to conduct phodi and durast. This Court noticed the fact that the earliest mutation order passed in respect of the lands in question is in M.R.Nos.3 and 4/1981-82, and therefore, such mutation orders could not have been passed without verifying the original records.

3. Today the respondent-Tahsildar is present before the Court and he submits that the total extent of land in Sy. No.1 of Dharmapuri Village, Vijayapura Hobli is measuring about 154 acres and phodi and durast has been conducted in respect of 30 acres, which means about 120 acres of land are yet to be

phodied. The lands belonging to petitioner also falls in the same 120 acres which have not been phodied till date.

4. Learned High Court Government Pleader therefore submits that since vast extent of lands where dharkasth grants have been made are required to be phodied, this Court may consider a larger extent of time for the purpose of conducting phodi and durast which have to be conducted simultaneously in respect of all the other lands in the same survey number.

5. Accordingly, the writ petition stands ***disposed of*** with a direction to the respondent-Tasildar, Devanahalli Taluk to proceed to conduct the phodi and durast of the lands in question along with the other lands as expeditiously as possible and at any rate within a of six months from the date of receipt of a copy of this order.

Sd/-
(R DEVDAS)
JUDGE

JT/-
CT:JL