



CNR: KAHC010750362025

NC: 2026:KHC:46207  
WP NO.34761 OF 2025

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

DATED THIS THE 25<sup>TH</sup> DAY OF AUGUST, 2026

BEFORE

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

**WRIT PETITION NO. 34761 OF 2025 (KLR-RR/SUR)**

**BETWEEN:**

SRI. T. RAJANNA  
S/O SRI. THAMMARAYA REDDY,  
AGED ABOUT 52 YEARS,  
R/AT NO.43/2, 'NANDHAGOKULA NILAYA',  
HONNENAHALLI VILLAGE,  
RAJANAKUNTE POST,  
YELAHANKA HOBLI AND TALUK,  
BENGALURU - 560 064.

...PETITIONER

(BY SRI. D.R. RAVISHANKAR, SENIOR COUNSEL FOR  
SRI. GANESHA P., ADVOCATE)

**AND:**

1. STATE OF KARNATAKA  
REVENUE DEPARTMENT,  
M.S. BUILDING,  
BENGALURU - 560 001.  
REP. BY ITS PRINCIPAL SECRETARY.
2. THE DEPUTY COMMISSIONER  
BENGALURU URBAN DISTRICT,  
KANDAYA BHAVANA  
K.G. ROAD,  
BENGALURU - 560 009.
3. THE DEPUTY DIRECTOR OF LAND RECORDS  
BENGALURU URBAN DISTRICT,  
KANDAYA BHAVANA, K.G. ROAD,  
BENGALURU - 560 009.

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CHAYAS A  
Location: HIGH  
COURT OF  
KARNATAKA



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4. THE TAHSILDAR  
YELAHANAK TALUK,  
YELAHANKA,  
BENGALURU - 560 064.
5. THE ASSISTANT DIRECTOR OF LAND RECORDS  
BENGALURU URBAN DISTRICT,  
KANDAYA BHAVANA,  
K.G. ROAD,  
BENGALURU - 560 009.
6. SRI. H. APPANNA GOWDA  
S/O THIMMARAYAPPA,  
AGED ABOUT 55 YEARS,  
R/AT SADENAHALLI VILLAGE,  
HESARAGHATTA HOBLI,  
YELAHANKA TALUK,  
BENGALURU - 560 064.

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE N., HCGP FOR R1 TO R5;  
NOTICE TO R6 IS DISPENSED WITH)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE PROCEEDINGS INITIATED UNDER RULE 108-K OF THE KARNATAKA LAND REVENUE RULES, 1966 IN CASE NO.LNDRUC/YLK-53/2025 INsofar AS IT RELATES TO THE LAND BEARING SURVEY NO.30 MEASURING TO AN EXTENT OF 1 ACRE 20 GUNTAS OF SADENAHALLI VILLAGE, HESARAGHATTA HOBLI, BENGALURU NORTH TALUK, PRESENTLY YELAHANKA TALUK BELONGING TO THE PETITIONER WHO IS ARRAYED AS RESPONDENT NO.2 IN THE ABOVE SAID PROCEEDINGS VIDE 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



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**ORAL ORDER**

In this petition, the petitioner is challenging the proceedings initiated under Rule 108-K of the Karnataka Land Revenue Rules, 1966 (for short, herein after referred to as '**KLR Rules**') in Case No.LNDRUC/YLK-53/2025 (Annexure-A) in respect of the land bearing Survey No.30 measuring to an extent of 1 acre 20 guntas of Sadenahalli Village, Hesaraghatta Hobli, Bengaluru North Taluk presently Yelahanka Taluk; Notice dated 13<sup>th</sup> November, 2025 (Annexure-B) issued by the Assistant Commissioner, Bengaluru North Taluk; and Endorsement dated 30<sup>th</sup> July, 2025 (Annexure-C) issued by the respondent No.4; *inter alia* sought for a direction to the respondents 4 and 5 to conduct Phodi and Durasth in respect of the schedule property in compliance of the order dated 20<sup>th</sup> February, 2025 (Annexure-L) passed by this Court in Writ Petition No.2182/2025.

2. Heard Sri. D.R. Ravishankar, learned Senior Counsel on behalf of Sri. Ganesha P., appearing for the petitioner and Sri. Spoorthy Hegde N., learned High Court



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Government Pleader appearing for respondents 1 to 5. Notice to respondent No.6 is dispensed with.

3. Sri. D.R. Ravishankar, learned Senior Counsel appearing for the petitioner submits that the schedule property has been granted to the vendor of the petitioner *viz.*, H. Appanna Gowda S/o Hanumantharayappa as per the Resolution dated 07<sup>th</sup> May, 2003 (Annexure-D) passed by the competent Committee constituted under the KLR Rules. Learned Senior Counsel further argued that, after a period of twenty two years, the respondent-Authorities have initiated action against the petitioner under Rule 108-K of the KLR Rules and therefore, the belated action of the respondent-Authorities cannot be accepted.

4. Learned Senior Counsel appearing for the petitioner further contended that the initiation of the impugned proceedings by the respondent-Authorities under Rule 108-K of the KLR Rules is on the ground that the schedule property is situated within 18 kms from the Bruhat Bengaluru Mahanagara Palike limits. In this regard, learned Senior Counsel, by referring to the Report of the Tahisldar, Bengaluru North



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(Addl.) Taluk, Yelahanka Satellite Town dated 16<sup>th</sup> August, 2010, argued that the Sadenahalli village is situate beyond 18 kms from the Bruhat Bengaluru Mahanagara Palike. Accordingly, learned Senior Counsel contended that the belated action of the respondent-Authorities is required to be interfered with in this petition.

5. By referring to the order dated 20<sup>th</sup> February, 2025 (Annexure-L) passed in Writ Petition No.2182/2025, learned Senior Counsel appearing for the petitioner contended that, though this Court directed the respondents 4 and 5 to conduct Phodi and Durasth in respect of schedule property within a period of four months, however, the same has not been considered by the respondent-Authorities in terms of representation of the petitioner dated 14<sup>th</sup> March, 2025 (Annexure-M) and as such, the petitioner herein preferred contempt proceedings against the respondent-Authorities and as a result of the same, the impugned proceedings have been initiated by the respondent-Authorities. Accordingly, learned Senior Counsel sought for interference of this Court.



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6. Per contra, Sri. Spoorthy Hegde N., learned High Court Government Pleader appearing for respondents 1 to 5 submits that as the schedule property is situated within 18 kms from the Bruhat Bengaluru Mahangara Palike limits and as such, there is no impediment for the respondent-Authorities to continue the impugned proceedings initiated under Rule 108-K of the KLR Rules. Accordingly, he sought to justify the impugned proceedings.

7. In the light of submission made by learned counsel appearing for the parties, it is not in dispute that, the Bagar Hukum Committee had taken a decision to regularise the schedule property in favour the vendor of the petitioner *viz.*, H. Appanna Gowda S/o Hanumantharayappa as well as in favour of other grantees in respect of other extent of land as per Resolution dated 07<sup>th</sup> May, 2003 (Annexure-D) and thereafter, the Saguvali Chit has been issued to the vendor of the petitioner on 20<sup>th</sup> April, 2006 (Annexure-E).

8. I have carefully perused the order dated 20<sup>th</sup> February, 2025 (Annexure-L) passed by this Court in Writ



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Petition No.2182 of 2025. Paragraphs 2, 3 and operative portion of the said order reads as under:

*"2. learned HCGP, on instruction, submits that the petitioner's application will be considered by respondent Nos.4 and 5 and phodi will be accomplished provided some reasonable time is granted.*

*3. Recording his assurance, this Court proceeds to pass the following;*

**ORDER**

- (i) The writ petition is allowed;*
- (ii) Respondent Nos.4 and 5 are hereby directed to consider the representations dated 17.06.2010, 06.11.2013 and 20.07.2024 as per Annexure-A to C and conduct phodi and durasti pertaining to the petition land in accordance with law.*
- (iii) This exercise shall be accomplished within a period of four months from the date of receipt of order copy."*

9. In pursuance of the aforesaid order passed by this Court in Writ Petition No.2182 of 2025, the petitioner made representation dated 14<sup>th</sup> March, 2025 (Annexure-M series) to the respondents 4 and 5 herein, seeking to conduct Phodi and Durasth of the schedule property, however, the same has not be considered. It appears that the order passed by this Court



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in Writ Petition No.2182 of 2025 has been disobeyed and as such, the petitioner has initiated contempt proceedings against the respondent-Authorities. In the backdrop of these aspects, I have carefully perused the impugned Endorsement dated 30<sup>th</sup> July, 2025 (Annexure-C), wherein the respondent No.4-Tahsildar stated that the action has been taken to initiate proceedings under Rule 108-K of the KLR Rules against the petitioner to cancel the grant of schedule property made in favour of the vendor of the petitioner on the ground that the schedule property is situated within 18 kms from the Bruhat Bengaluru Mahanagara Palike limits. In this connection, I am of the considered opinion that, if the respondent-Authorities have to take such action, the same has to be taken within a reasonable period and not belatedly as in the present case.

10. On perusal of the Resolution dated 07<sup>th</sup> May, 2003 (Annexure-D) passed by the Bagar Hukum Committee, Bengaluru North (Addl.) Taluk, it is forthcoming that, apart from the vendor of the petitioner (original grantee), there are other forty one grantees, however, except the petitioner herein, no other grantees have been issued with such notice to appear



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before the competent authority in the proceedings initiated under Rule 108-K of the KLR Rules. Therefore, I am of the view that, it is a clear case of discrimination on the part of the respondent-Authorities to initiate action against the petitioner alone. It is also to be noted that, before granting the land in favour of the vendor of the petitioner, a report has been made by the Tahsildar, Bengaluru North (Addl.) Taluk to the Deputy Commissioner, Bengaluru District enclosing the list of villages which are beyond 18 kms from the Bruhat Bengaluru Mahanagara Palike limits, wherein the village in question viz., Sadenahalli is shown. In the backdrop of these aspects, I am of the view that the action taken by the respondent-Authorities to initiate impugned proceedings against the petitioner herein is bad in law. Therefore, following the order dated 13<sup>th</sup> July, 2026 passed by this Court in Writ Petition No.9470 of 2020, the entire proceedings initiated against the petitioner under Rule 108-K of KLR Rules requires to be set-aside.

11. It is pertinent to mention here that, if any action has to be taken to cancel the grant by the respondent-Authorities, such action has to be taken at the earliest point of



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time and not after an inordinate delay. The petitioner has produced the order dated 05<sup>th</sup> April, 2016 (Annexure-P) passed by this Court in Writ Petition No.5985 of 2016 and connected petitions, which came to be confirmed by the Division Bench of this Court in Writ Appeal No.5005 of 2016 and connected appeals on 24<sup>th</sup> September, 2019 (Annexure-Q) and also confirmed in terms of Special Leave Petition (Civil) Diary No.37876 of 2023 disposed of on 06<sup>th</sup> October, 2023 (Annexure-R) before the Hon'ble Supreme Court under the similar set of facts. Therefore, I find force in the submission made by learned Senior Counsel appearing for the petitioner that the impugned proceedings initiated against the petitioner in respect of the schedule property requires to be set-aside. Accordingly, I pass the following:

### **ORDER**

- (i) Writ Petition ***allowed;***
- (ii) The impugned proceedings initiated against the petitioner under Rule 108-K of the KLR Rules in Case No.LNDRUC/YLK-53/2025 in respect of



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land bearing Survey No.30 measuring to an extent of 1 acre 20 guntas of Sadenahalli Village, Hesaraghatta Hobli, Bengaluru North Taluk, presently Yelahanka Taluk belonging to the petitioner are hereby quashed; consequently, Notice dated 13<sup>th</sup> November, 2025 (Annexure-B) issued by the respondent No.3 and Endorsement dated 30<sup>th</sup> July, 2025 (Annexure-C) issued by the respondent No.4- are quashed;

- (iii) Respondents 4 and 5 are hereby directed to conduct Phodi and Durasth in respect of the schedule property in compliance of the order dated 20<sup>th</sup> February, 2025 (Annexure-L) passed by this Court in Writ Petition No.2182 of 2025, within an outer limit of two months from the date of receipt of this order.

**SD/-  
(E.S. INDIRESH)  
JUDGE**

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List No.: 1 Sl No.: 22