



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 35687 OF 2025 (KLR-LG)

BETWEEN:

SRI. PARVATHAMALLACHARI
S/O LATE RUDRACHAR,
AGED ABOUT 74 YEARS,
R/O BENNUR, BELURU TALUK,
HASSAN DISTRICT - 573 115.

...PETITIONER

(BY SRI. LINGARAJU K.R, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP., BY IT'S PRINCIPAL SECRETARY,
DEPARTMENT OF REVENUE,
M.S. BUILDING, DR. B.R. AMBEDKAR VEEDHI,
BENGALURU - 560 001.
2. THE SPECIAL LAND ACQUISITION OFFICER,
HEMAVATHI RESERVOIR PROJECT
DC OFFICE BUILDING,
HASSAN - 573 201.
3. THE INSPECTOR OF POLICE,
CEN., CRIME POLILCE, DCRB.,
DIVISION, HASSAN - 573 201.

Digitally signed
by
SHARADAVANI
B
Location: High
Court of
Karnataka



4. THE DEPUTY COMMISSIONER
HASSAN DISTRICT, HASSAN - 573 201.
5. THE ASSISTANT COMMISSIONER
BELUR TALUK, BELUR,
HASSAN - 573 115.
6. THE TAHSILDAR
BELURU TALUK, BELURU,
HASSAN DISTRICT - 573 115.
7. THE ASSISTANT DIRECTOR
OF LAND RECORDS,
HASSAN DISTRICT,
HASSAN - 573 201.
8. THE DEPUTY CONSERVATOR OF FOREST
HASSAN DIVISION,
HASSAN - 573 201.

...RESPONDENTS

(BY SMT. NAVYA SHEKHAR, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A. TO QUASH THE ORDER BEARING NO. LND/YA. BOO. MA(D)-6/09-10 DATED 15/06/2023 PASSED BY THE RESPONDENT NO. 2 AND ORDER IN CASE NO.70/2024-25 DATED 18/02/2025 PASSED BY RESPONDENT NO. 4 VIDE ANNEXURE - A AND B 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 petitioner is aggrieved of the impugned orders dated 15.06.2023 and 18.02.2025 passed by the Special Land Acquisition Officer, Hemavathi Reservoir Project, Hassan and Deputy Commissioner, Hassan District in case No.L.N.D/Ya.Boo.Ma(D):6/2009-10 and R.A.70/2024-25 at Annexures-A and B respectively.

2. The petitioner is an individual who lost his lands due to submergence of the same under water on the construction of Hemavathi/Yagachi/Vatehole Reservoir Project. In terms of the scheme proposed by the State Government, a person who lost land on account of submergence for the project, would not only be entitled for compensation but also entitled for grant of alternative lands to ensure that the livelihood of such agriculturists are not lost. Accordingly, 3 Acres 30 guntas of land in Block No.1 of Sy.No.59 situated at Honenahallikaval village, Kasaba Hobli, Beluru Taluk, Hassan District was



granted. However, several irregularities were found in the matter of allotment of alternative lands. Action was directed by the State Government having regard to such irregularities. The Special Land Acquisition Officer (for short 'SLAO') has passed the impugned order in respect of the petitioner cancelling the grant and Deputy Commissioner has upheld the same.

3. Having regard to the ground on which the impugned orders have been passed, it is clear that the SLAO has cancelled the grant on one of the following grounds :

- a) Grant was made to a person who had not lost any land in submergence;
- b) Bogus grant order has been created, although no such grant order was passed;
- c) Dual grant orders have been passed on the basis of one award passed by the SLAO;
- d) Such dual grant orders and fictitious grant orders have been passed during the tenure of Sri V.Srinivas Gowda or Sri B.A.Jagadeesh



who were the then Special Land Acquisition Officers;

- e) Land granted is a forest land and not revenue lands and therefore it could not have been granted.

4. The factual information and the ground on which the impugned order of cancellation has been passed by the SLAO is identifiable as one of the grounds noticed hereinabove. Therefore, all other observations made in the impugned order are hereby set aside as not specifically applicable to the petitioner. It is also a fact that the impugned orders of cancellation was passed without hearing the grantee and therefore, on the ground of denial of principles of natural justice alone, the impugned order of cancellation is required to be set aside.

5. Consequently, this Court proceeds to pass the following:

ORDER

- i) Writ petition is ***allowed in part.***



- ii) The impugned orders dated 15.06.2023 and 18.02.2025 passed in case No.L.N.D/Ya.Boo.Ma(D):6/2009-10 and R.A.70/2024-25 passed by the Special Land Acquisition Officer, Hemavathi Reservoir Project, Hassan and Deputy Commissioner, Hassan District at Annexures-A and B respectively, are hereby quashed and set aside.
- iii) The matter stands remanded back to the SLAO to reconsider the matter afresh after affording an opportunity of hearing to the petitioner. The petitioner is permitted to submit any material to defend the order of grant.
- iv) Insofar as the cancellation orders passed on the ground that the land in question is a forest land and not revenue land and therefore, it could not have been granted, the SLAO is required to reconsider the matter after securing the opinion from the forest department as well as the Revenue department. If ultimately it is found that the land is a forest land, then alternative lands shall be granted to the petitioner.



- v) Consequent to the restoration of the grant in favour of the petitioner, the revenue entries shall also be restored in the RTC.

Sd/-
(R DEVDAS)
JUDGE

rv
List No.: 1 Sl No.: 25