



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 36985 OF 2025 (KLR-RR/SUR)

BETWEEN:

SRI. BYLAPPA
S/O LATE MUNIRAMAIAH,
AGED ABOUT 60 YEARS,
R/AT BUDAMANAHALLI VILLAGE,
HESARAGHATTA HOBLI, YALAHANKA TALUK,
BENGALURU NORTH TALUK,
BENGALURU - 561 203.

...PETITIONER

(BY SRI. SHARATH S. GOWDA, ADVOCATE FOR
SRI. GANESHA P, ADVOCATE)

AND:

Digitally signed
by
SHARADAVANI
B
Location: High
Court of
Karnataka

1. STATE OF KARNATAKA
BY ITS ADDL CHIEF SECRETARY,
DEPARTMENT OF REVENUE,
VIKASA SOUDHA, BENGALURU - 560 001.
2. DEPUTY COMMISSIONER,
BENGALURU URBAN DISTRICT,
D.C OFFICE, K.G ROAD,
BENGALURU - 560 009.
3. THE ASSISTANT COMMISSIONER,
BENGALURU NORTH-DIVISION,
KANDHAYA BHAVAN, K.G ROAD,



BENGALURU - 560 009.

4. TAHASILDAR,
BENGALURU NORTH TALUK,
YALAHANKA HOBLI,
BENGALURU - 560 009.
5. ASSISTANT DIRECTOR OF LAND RECORDS,
BENGALURU NORTH TALUK,
IN OFFICE OF KANDAYA BHAVANA,
K.G ROAD, BENGALURU - 560 009.

...RESPONDENTS

(BY SMT. NAVYA SHEKHAR, AGA)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT AUTHORITIES TO EFFECT PHODI IN RESPECT OF LAND MEASURING 1 ACRE 05 GUNTAS IN SY.NO. 9 OF BUDAMANAHALLI VILLAGE, HESARAGHATTA HOBLI, YALAHANKA TALUK, BENGALURU NORTH TALUK BY CONSIDERING THE REPRESENTATION DTD. 20.11.2024 SUBMITTED TO THE R-4 TAHSILDAR VIDE ANNEX-C.

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

On the previous occasion, the following order was passed:



"Learned Additional Government Advocate takes notice for all the respondents.

Learned counsel for the petitioner is directed to serve copies of the writ petition along with annexures on the learned Additional Government Advocate.

The grievance of the petitioner is that despite several representations being given to respondent No.4-Tahsildar, Bengaluru North Taluk and respondent No.5-Assistant Director of Land Records, Bengaluru North Taluk, for conducting phodi and durasti of the lands in question, no action is taken by them.

Learned AGA on instructions submits that since the lands in question falls within the prohibited distance of the boundary of the BBMP, a decision is taken by the revenue authorities not to conduct phodi and durasti.

On the face of it, such submissions cannot be accepted. So long as the grant is admittedly made in favour of the petitioner and the name of the petitioner is entered in the revenue records, the petitioner has a right to seek phodi and durasti and it is the bounded duty of respondent Nos.4 and 5 to proceed to conduct phodi and durasti.

Re-list this matter for 'Preliminary Hearing' on 09.02.2026 to enable the learned AGA to secure instructions and make submission."

2. Learned Additional Government Advocate submits that she has received instructions that it is true that the name



of the petitioner is found in the revenue records. If that be the position, it is impermissible for the respondent-Tahsildar and the Assistant Director of Land Records to reject the application filed by the petitioner for phodi and durast. However, since the total extent of land in Sy.No.9 is 32 acres 37 guntas of Budamanhalli Village, Hesaraghatta Hobli, Yalahanka Taluk, Bengaluru North Taluk, the respondents may need some more time to complete the phodi proceedings in respect of the entire survey number.

3. Learned Additional Government Advocate submits on instructions that the land in question is within the prohibited distance from the boundary of the BBMP and therefore the same could not have been granted to the petitioner. Learned counsel for the petitioner submits that such a contention cannot be raised by the Tahsildar and the ADLR. At this juncture, since admittedly the name of the petitioner is entered in the revenue records and what the petitioner is seeking is phodi and durast.

4. There is substance in the submission of the learned counsel for the petitioner. Unless and until the grant made in favour of the petitioner was cancelled in accordance with law



and the name of the petitioner was removed from the revenue records, such a contention on the part of the respondent-Tahsildar cannot be accepted. It is too late in the day to take up such contention and to initiate proceedings for cancellation of the grant made in favor of the petitioner. This Court has held in umpteen number of cases that such an action to cancel the grant should be taken within a reasonable time and therefore, it may not be permissible at this point of time.

5. In that view of the matter, the writ petition stands disposed of with a specific direction to respondent No.4 Tahsildar, Bangalore North Taluk and respondent No.5- Assistant Director of Land Records, Bangalore North Taluk, to proceed to complete the phodi and durast proceedings of the petitioner along with all the other lands in Survey No.9 as expeditiously as possible and at any rate within a period of three months from the date of receipt of a copy of this order.

Sd/-
(R DEVDAS)
JUDGE

rv, List No.: 1 Sl No.: 18