



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 38203 OF 2025 (KLR-RES)

BETWEEN:

1. SRI. PREM KUMAR K N
S/O LATE NAGARAJE GOWDA
AGED ABOUT 42 YEARS,
2. SMT. RADHIKA
W/O PREM KUMAR K N
AGED ABOUT 27 YEARS

BOTH ARE R/AT KALKERE VILLAGE,
RAVANDUR HOBLI,
PERIYAPATNA TALUK,
MYSORE DISTRICT – 571108.

...PETITIONERS

Digitally
signed by
JUANITA
THEJESWINI

Location:
High Court
Of Karnataka

(BY SRI. SUNIL S NARAYAN., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF REVENUE,
VIDHANA SOUDHA,
BANGALORE-560001.
2. DISTRICT COMMISSIONER
MYSURU,



KRISHNARAJA BOULEVARD ROAD,
MYSURU,
MYSURU DISTRICT-570001.

3. ASSISTANT COMMISSIONER
HUNASURU SUB-DIVISION,
HUNASURU TALUK,
MYSORE-571105.
4. THASILDAR
OFFICE OF THE THASILDAR
PERIYAPATNA TALUK,
PERIYAPATNA- 571107.
5. T K CHIKKANAYAKA
S/O LATE THIMMA NAYAKA
AGED ABOUT 65 YEARS
R/AT KALKERE VILLAGE,
RAVANDUR HOBLI,
PERIYAPATNA TALUK,
MYSORE DISTRICT – 571108.

...RESPONDENTS

(BY SMT. B.P.RADHA., AGA FOR R1 TO R4
SRI. MOHAMMAD ZABIULLA KHAN., ADVOCATE FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 27 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH SET ASIDE THE ORDER DATED 25.11.2025 PASSED IN LND NO. 16/2025 BY THE R2 AT ANNEX-M AND QUASH /SET ASIDE THE ORDER DATED 03.06.2025 PASSED IN LND NO. 34/2024 BY THE R3 AT ANNEX-H 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 petitioners are aggrieved of the fact that the lands granted to them by the order passed by the 'Committee for Regularization of Unauthorized Occupation' has been subsequently cancelled by the order passed by the Assistant Commissioner and thereafter, the order of the Deputy Commissioner.

2. Learned Counsel for the petitioners submits that at the instance of the 5th respondent, proceedings are taken up before the Assistant Commissioner, Hunsur Sub-Division, in proceedings bearing No.LND/34/2024 at Annexure-H. It is the contention of the 5th respondent that the lands in Survey No.5 of Kalkere Village, Ravandoor Hobli, Periyapatna Taluk, have been reserved for the benefit of the local villagers and therefore, 12 Guntas of land in the said survey number could not have been granted in favour of the petitioners. The Assistant Commissioner accepted the said contention and



directed the Committee to reconsider the application filed by the petitioners. The Committee accordingly reconsidered the matter on 10.06.2025 as found in Annexure-J. Learned Counsel submits that the Committee did not call for any information from the office of the Tahsildar and simply went by the statement made by the 5th respondent. Learned Counsel further submits that the Deputy Commissioner too did not call for any information from the office of the Tahsildar to find out as to whether it was true that any orders have been passed reserving the lands in Survey No.5 for the benefit of the local villagers. In that view of the matter, learned Counsel for the petitioners submits that both the impugned orders are required to be quashed and set aside.

3. Per contra, learned Additional Government Advocate submits that the Committee called for the report from the Revenue Inspector and the Village Accountant and on the basis of the reports submitted by the Revenue Inspector and the Village Accountant, the Committee came



to a conclusion that the lands have been reserved for the benefit of the local villagers and therefore, the same cannot be granted to the petitioners.

4. Having heard the learned Counsel for the petitioners, the learned Additional Government Advocate and on perusing the petition papers, this Court finds that there is no reference to any document or order said to have been passed by the competent authority reserving the lands in Survey No.5 for any particular purpose. Therefore, simply based on the reports submitted by the Revenue Inspector and the Village Accountant, such a decision could not have been taken by the Committee and the Deputy Commissioner. Moreover, this Court is also of the considered opinion that the appeal filed by the 5th respondent could not have been entertained by the Assistant Commissioner, since there is no claim on the part of the 5th respondent that he was a rival claimant to the lands in question. If the lands were reserved for any public purpose, then it was the duty of the Assistant



Commissioner and the Deputy Commissioner to have called for information from the office of the Tahsildar to find out whether any such orders were earlier passed by the competent authority reserving any part of Survey No.5 for any public purpose. That exercise not having been undertaken either by the Assistant Commissioner or the Deputy Commissioner, such orders could not have been passed by the Assistant Commissioner and the Deputy Commissioner.

5. Consequently, the writ petition is **allowed**. The impugned order dated 03.06.2025 at Annexure-H passed by the Assistant Commissioner in proceedings bearing No.LND/34/2024 and the order dated 25.11.2025 passed by the Deputy Commissioner in proceedings bearing No.LND/16/2025 are hereby quashed and set aside. The 4th respondent-Tahsildar, Periyapatna Taluk, is hereby directed to restore the names of the petitioners in the revenue records as it was prior to the passing of the impugned orders. The revenue entries shall be restored as



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expeditiously as possible and at any rate within a period of two months from the date of receipt of a copy of this order.

6. Pending Interlocutory Application(s), if any, stand disposed of.

**Sd/-
(R DEVDAS)
JUDGE**

DL
CT: JL