



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

**DATED THIS THE 10<sup>TH</sup> DAY OF MARCH, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE R DEVDAS**

**WRIT PETITION NO. 38512 OF 2025 (KLR-RES)**

**BETWEEN:**

1. SRI KASHINATH P  
SON OF SRI KASHANNA P,  
AGED ABOUT 40 YEARS,  
R/AT NO.4 3<sup>RD</sup> MAIN, PIPELINE ROAD,  
BHEL MINI COLONY, MALLASANDRA,  
T DASARAHALLI,  
BENGALURU 560 057.
2. SRI PARAMASHIVAIAH P B  
SON OF SRI BYLAPPA,  
AGED ABOUT 56 YEARS,  
R/AT NO. 24, SRI BASAVESHWARA NILAYA,  
1<sup>ST</sup> MAIN ROAD, 1<sup>ST</sup> CROSS,  
KIRLOSKAR LAYOUT,  
NEAR SAPTHAGIRI LAYOUT,  
SIDEDAHALLI, BENGALURU 560 073.
3. SRI DHANANJAYA G H  
SON OF SRI HANUMANTHAIAH G A  
AGED ABOUT 46 YEARS,  
R/AT NO. 136, 1<sup>ST</sup> MAIN ROAD, GOPALAPURA  
NEAR HESARAGHATTA MAIN ROAD,  
GOLLAHALLI, BENGALURU RURAL 562 123.
4. SMT BHAVYA R  
WIFE OF SRI DHANANJAYA G H,  
AGED ABOUT 36 YEARS,  
R/AT NO. 136, 1<sup>ST</sup> MAIN ROAD, GOPALAPURA,  
NEAR HESARAGHATTA MAIN ROAD,  
GOLLAHALLI, BENGALURU RURAL 562 123.

...PETITIONERS

(BY SRI. SHIVA KUMAR N., ADVOCATE)

Digitally signed  
by JUANITA  
THEJESWINI  
Location: HIGH  
COURT OF  
KARNATAKA



**AND:**

1. STATE OF KARNATAKA  
REVENUE DEPARTMENT  
VIDHANA SOUDHA,  
BENGALURU,  
REP. BY PRINCIPAL SECRETARY,  
REVENUE DEPARTMENT.
2. THE DEPUTY COMMISSIONER  
BENGALURU RURAL DISTRICT,  
JILLADALITA BHAVAN,  
BEERASANDRA VILLAGE,  
KUNDANA HOBLI,  
DEVANAHALLI TALUK 562 110.
3. THE ASSISTANT COMMISSIONER  
DODDABALLAPUR SUB DIVISION,  
DODDABALLAPUR 561203.
4. THE TAHSILDAR  
NELAMANGALA TALUK,  
NELAMANGALA 562123.
5. T RAVINAYKA  
S/O THIMMANAYKA,  
R/AT KENGAL VILLAGE,  
BARAGENAHALLI POST,  
SOMPURA HOBLI,  
NELAMANGALA TALUK,  
BENGALURU RURAL DISTRICT 562111.

...RESPONDENTS

(BY SRI.V.SESHU., HCGP FOR R1 TO R4  
SMT. SAMASHRITHA.R., ADVOCATE FOR  
SRI. AKARSH KUMAR GOWDA., ADVOCATE FOR R5)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE  
CONSTITUTION OF INDIA PRAYING TO QUASHING THE  
IMPUGNED ORDER DATED 06/12/2025 BEARING NO. BRDC-  
LNDGOLNDN/128/25-LYDREGNEL PASSED BY R2 (VIDE  
ANNEXURE-A) BY ALLOWING THE INSTANT WP 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**

It is the contention of the petitioners that at the instance of respondent No.5, who is inimically disposed towards the petitioners, the Deputy Commissioner has passed the impugned Official Memorandum at Annexure-A reserving 17 guntas of land in Sy.No.8 which is abutting the layout formed by the petitioner, and reserving the same for the purpose of a burial ground. Learned Senior counsel submits that in Sy.No.36, which is also abutting the lands in question, there are large extents of land for usage of burial ground. It is submitted that an extent of 2 acres are already reserved for that purpose and there was no need for the Deputy Commissioner to have considered the claim of respondent No.5 and other persons for reservation of 17 guntas of land in Survey No.8 as burial ground.



2. When the matter had come up for Preliminary Hearing, learned High Court Government Pleader was directed to secure instructions from the respondent No.2 - Deputy Commissioner as to why there was a need to reserve the 17 guntas of land in Survey No.8 when other tracts of land were also available in Survey No.36.

3. Having regard to the orders passed by this Court on 09.01.2026, learned High Court Government Pleader today submitted on instructions that the 2 acres of land which were earlier reserved for a burial ground in Survey No.36 of the same village were found unusable for the purpose for which they were reserved, and therefore, at the request of the local villagers, action is taken by the Deputy Commissioner to reserve 17 guntas of land in Survey No.8, which is a 'gunduthopu', for the purpose of a burial ground.

4. At this juncture, learned Senior Counsel appearing for the petitioners submits that though there



was a requirement of getting a report from the Tahsildar regarding the present status of 2 acres of land in Survey No. 36, which were already reserved for the purpose of a burial ground, no information is forthcoming from the records.

5. The respondent-Deputy Commissioner was required to file statement of objections within a period of one week giving all necessary details, including the fact as to whether report was obtained by the Deputy Commissioner in respect of Survey No.36 measuring 2 acres which was already reserved for a burial ground.

6. Today, learned High Court Government Pleader submits on instructions that the impugned order passed by the Deputy Commissioner may be set aside to enable the Deputy Commissioner to reconsider the grant of lands for burial ground.

7. In that view of the matter, since the Deputy Commissioner seeks to reconsider and grant any other



alternative land, if necessary, for the purpose of burial ground, the writ petition is ***allowed***, while setting aside the impugned order dated 06.12.2025 at Annexure A passed by the 2<sup>nd</sup> respondent - Deputy Commissioner, Bangalore Rural District. Liberty is however reserved to the Deputy Commissioner to grant any other alternative land if necessary for the purpose of burial ground.

Ordered accordingly.

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

KLY  
CT: JL