HC-KAR

NC: 2026:KHC:60573
WP No. 157 of 2022

CNR: KAHC010001572022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 157 OF 2022 (SC/ST)

BETWEEN:

SRI V SONNAPPA
S/O LATE VASANTHAPPA
AGED ABOUT 64 YEARS
DALASAGERE VILLAGE
NANDAGUDI HOBLI
NELAVAGILU POST
HOSAKOTE TALUK
BENGALURU RURAL DISTRICT-562 122.

...PETITIONER

(BY SRI. ANJANEYA A.B., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
   REPRESENTED BY CHIEF SECRETARY
   VIDHANA SOUDHA
   AMBEDKAR VEEDHI
   BENGALURU - 560 001.

2. THE DEPUTY COMMISSIONER
   OF BENGALURU RURAL DISTRICT
   R/AT DISTRICT COMPLEX
   BEERASANDRA VILLAGE
   KUNDANA HOBLI
   DEVANAHALLI TALUK
   BENGALURU RURAL DISTRICT-562 110.

3. THE ASSISTANT COMMISSIONER
   OF DODDABALLAPURA SUB-DIVISION
   DODDABALLAPURA TALUK OFFICE

Digitally signed by PREMCHANDRA M R
Location: HIGH COURT OF KARNATAKA

DODDABALLAPURA
BENGALURU RURAL DISTRICT-561 203.

4. THE THASILDAR
OFFICE OF THASILDAR TALUK OFFICE
DEVANAHALLI TALUK
BENGALURU RURAL DISTRICT-562 110.

5. SRI C B GOPAL GOWDA
S/O LATE C BYREGOWDA
GARUDA PALYA
NARASAPURA HOBLI
KOLAR TALUK AND DISTRICT-563 133.

…RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 TO R4;
SRI. M.NARAYANA REDDY, ADVOCATE FOR R5 - ABSENT)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN RELIEFS.

THIS WRIT PETITION IS LISTED FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.Anjaneya A.B., counsel for the petitioner and Smt.Savithramma., Additional Government Advocate for respondent Nos.1 to 4, appeared in person.

There is no representation on behalf of respondent No.5.

2. The writ petition is filed seeking following reliefs:

> *i. Quash the impugned order dated 14.02.2019 passed by 2nd respondent in No.LND.SC/ST(A) 90/2017 vide Annexure-'N', consequently allow the petition filed by petitioner before the 3rd respondent in No.PTCL/S.R (HO) 31/2009-10 and set-aside the orders dated 06.05.2017 which is disposed on the file of 3rd respondent;*
>
> *ii. Pass such other order or orders as deemed fit to be granted by this Hon'ble court in the above said facts and circumstances of the case."*

3. Counsel for the respective parties urged several contentions.

Counsel for the petitioner in presenting his arguments submits that the Deputy Commissioner passed the impugned order without looking into the facts of the case and also against the grant rules, notification dated:03.10.2006 and permission for sale dated:14.11.2003. He argued that the Deputy Commissioner failed to consider the prima facie violation of permission granted by the Government in view of notification dated:03.10.2006. Urging additional grounds, he submits that the impugned order is liable to be quashed.

4. Heard the arguments and perused the papers with care.

5. The land in question was originally granted to the grantee, and prior permission was obtained before its alienation. However, after a lapse of nearly five years from the date of sale, the grantee himself initiated proceedings seeking resumption of the land. The Assistant

Commissioner rejected the claim, and the Deputy Commissioner affirmed the said order.

It is pertinent to note that the grantee, having himself alienated the property, subsequently initiated resumption proceedings under the provisions of the PTCL Act. In view of the law laid down by the Hon'ble Apex Court in Seethamma's case, the grantee could not have initiated such proceedings. Accordingly, the writ petition stands ***rejected***.

Because of rejected of the Writ Petition, interim order granted if any stands discharged and pending interlocutory applications if any are disposed of.

Sd/-
(JYOTI M)
JUDGE

AM
List No.: 1 Sl No.: 20