HC-KAR

NC: 2026:KHC:8837
WP No. 2028 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 2028 OF 2026 (KLR-RES)

BETWEEN:

TARADEVI @ SHANKARAMMA
W/O ADVAIAH MUGANURA,
AGE ABOUT 45 YEARS,
R/AT MADHUR HOBLI, MALLOHALLI VILLAGE,
BANGALORE RURAL DISTRICT,
DODDABALLAPURA TALUK.

…PETITIONER

(BY SRI. SYED KHALEEL PASHA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF REVENUE,
M.S. BUILDING,
BENGALURU – 560 001,
REPRESENTED BY ITS PRINCIPAL SECRETARY.

2. THE TAHSILDAR,
DODDABALLAPUR TALUK OFFICE,
BENGALURU RURAL DISTRICT – 561 203.

3. THE ASSISTANT DIRECTOR OF
LAND RECORDS (ADLR),
OFFICE OF LAND RECORDS,
DODDABALLAPUR TALUK – 561 203.

Digitally signed by SHARADAVANI B
Location: High Court of Karnataka

4. THE TALUK SURVEYOR,
OFFICE OF THE SURVEY DEPARTMENT,
DODDABALLAPUR TALUK – 561 203.

…RESPONDENTS

(BY SRI. V. SESHU, HCGP)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS NOT TO TAKE ANY COERCIVE ACTION AGAINST THE PETITIONER AND NOT TO PROCEED WITH THE ENCROACHMENT CLEARANCE FIXED ON 09.01.2026 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

Learned High Court Government Pleader takes notice for all the respondents.

2. The grievance of the petitioner is directed towards the impugned notice of Annexure-A dated 08.01.2026 issued by respondent No.2-Tahsildar, Doddaballapura Taluk. Learned counsel for the petitioner submits that although the impugned notice at Annexure-A is styled as a notice, nevertheless, it is clear from a plain reading of the notice that the Tahsildar has

unilaterally concluded that the petitioner has encroached upon a portion of Kaludari in Survey No.78/1B of Mallohally Village, Madure Hobli, Doddaballapura Taluk. Learned counsel submits that it is not disputed that the petitioner is the owner of the said Survey No.78/1B, however, the allegation is that there is a kaludari running on the property in question and the petitioner has encroached upon the said Kaludari. Learned counsel submits that no opportunity of hearing was given to the petitioner although a reply was given to the notice.

3. Having regard to the contentions raised by the petitioner, the writ petition stands ***disposed of,*** directing the petitioner as well as respondent No.2-Tahsildar to treat the impugned notice as a show cause notice. Respondent No.2-Tahsildar shall consider the reply given by the petitioner and any additional information that would be given by the petitioner, afford an opportunity of hearing, if necessary conduct a joint survey in the presence of the petitioner and thereafter, proceed only in accordance with law. In the meanwhile, if the Tahsildar has proceeded on the basis of the

impugned notice, all such action is hereby quashed and set aside.

Ordered accordingly.

Learned High Court Government Pleader is permitted to file memo of appearance within a period of four weeks from today.

Sd/-
(R DEVDAS)
JUDGE

rv
List No.: 1 Sl No.: 7