HC-KAR

NC: 2026:KHC:60207
WP No. 3366 of 2024

CNR: KAHC010050532024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO.3366 OF 2024 (SC-ST)

BETWEEN:

SRI. A. NAGARAJ
S/O ASHWATHAPPA,
AGED ABOUT 70 YEARS,
RESIDING AT
GADDADANAGENAHALLI VILLAGE,
MANDIBELE POST,
VIJAYAPURA HOBLI,
DEVANAHALLI TALUK,
BENGALURU RURAL DISTRICT - 562 110.

...PETITIONER

(BY SRI. RAMESH KUMAR, ADVOCATE FOR
SRI. P.M.NARAYANA SWAMY, ADVOCATE)

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

AND:

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

2. THE DEPUTY COMMISSIONER
BENGALURU RURAL DISTRICT,
BEERASANDRA VILLAGE,
KUNDANA HOBLI,
DEVANAHALLI TALUK - 562 110.

3. THE ASSISTANT COMMISSIONER
DODDABALLAPURA SUB-DIVISION,

DODDABALLAPURA - 561 203,
BENGALURU RURAL DISTRICT.

4. THE TAHASILDAR
DEVANAHALLI TALUK,
DEVANAHALLI - 562 110,
BENGALURU RURAL DISTRICT.

5. SRI. VENKATARAMANAPPA
S/O LATE NYATHAPPA,
AGED ABOUT 68 YEARS,

6. SRI. RAVI KUMAR
S/O VENKATARAYAPPA,
AGED ABOUT 24 YEARS,

BOTH ARE RESIDING AT:
BUDHALA VILLAGE,
CHANNARAYAPATNA HOBLI,
DEVANAHALLI TALUK - 562 110,
BENGALURU RURAL DISTRICT.

…RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 TO R4;
SRI. BIPIN HEGDE, ADVOCATE FOR R5 AND R6)

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.Ramesh Kumar., counsel appearing on behalf of Sri.P.M.Narayanaswamy., for the petitioner and Smt.Savithramma., Additional Government Advocate for respondent Nos.1 to 4 appeared in person.

In PTCL writ petitions, the orders passed by the Assistant Commissioner and the Deputy Commissioner are ordinarily challenged before this Court. The Court has frequently observed discrepancies in the names of the original grantees, the dates of grant and alienation, and the survey numbers mentioned in the impugned orders. Accordingly, for the sake of convenience and to avoid unnecessary repetition, the parties are referred to as the "original grantee", and the relevant years of grant and alienation are used instead of reproducing the names, dates, and survey numbers in each case.

2. The petition is filed seeking the following reliefs:

"i. Issue writ of certiorari and quash the Annexure-A, impugned order passed by the 3rd respondent Assistant Commissioner, Doddaballapur Sub Division, Bengaluru in PTCL.SR(DE)90/2005-06 dated 02.01.2010, in respect of land bearing Sy.No.61/7 measuring 2-00 acres and Sy.No.61/6 measuring 2-00 acres, both are situated at Gaddadanagenahalli Village, Vijayapura Hobli, Devanahalli Taluk.

ii. Issue writ of certiorari and quash the Annexure-B, impugned order passed by the 2nd respondent Deputy Commissioner, Bengaluru Rural District, Beerasandra Village, Kundana Hobli, Devanahalli Taluk, in case LND/SC/ST(A).35/2020 dated 29.12.2023, in respect of land bearing Sy.No.61/7 measuring 2-00 acres and Sy.No.61/6 measuring 2-00 acres, both are situated at Gaddadanagenahalli Village, Vijayapura Hobli, Devanahalli Taluk.

iii. Issue such other order, writ or direction as may be deemed fit to grant in the circumstances of the case."

3. Counsel for the respective parties advanced several contentions.

4. The Court heard the arguments and carefully perused the papers.

5. The present issue is confined to the resumption proceedings. The land in question was granted during the year 1962-63 and was subsequently alienated in 1981 under a registered sale deed. Thereafter, resumption proceedings were initiated before the Assistant Commissioner in 2005. The Assistant Commissioner, by order passed in 2010, allowed the petition and directed resumption of the land. After a lapse of almost 10 years, an appeal came to be preferred before the Deputy Commissioner. The Deputy Commissioner, by order dated 29.12.2023, dismissed the appeal, taking note of the inordinate delay in preferring the same. This Court finds that the Deputy Commissioner was justified in taking the delay into consideration while dismissing the appeal. No grounds are made out warranting interference with the impugned order. Accordingly, the writ petition, being devoid of merit, is ***dismissed***.

On dismissal of the Writ Petition, any interim order stands discharged, and any pending interlocutory applications, if any, are disposed of.

Sd/-
(JYOTI M)
JUDGE

CH
List No.: 2 Sl No.: 31