HC-KAR
CNR: KAHC010097962022

NC: 2026:KHC:59425
WP No. 4755 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO.4755 OF 2022 (KLR-RES)

BETWEEN:

1. SRI. Y.R. VISHWANATH
   S/O LATE Y.S. RUDREGOWDA
   AGED ABOUT 65 YEARS
   R/AT PUMP HOUSE ROAD
   3RD CROSS, BELUR TALUK
   HASSAN DISTRICT - 573 115.

2. SMT. D. JAYANTHI
   W/O Y.R. VISHWANATH
   AGED ABOUT 56 YEARS
   R/AT PUMP HOUSE ROAD
   3RD CROSS, BELUR TALUK
   HASSAN DISTRICT - 573 115.

...PETITIONERS

(BY SRI. BHARGAV G., ADVOCATE)

Digitally signed by CHAYA S A
Location: HIGH COURT OF KARNATAKA

AND:

1. STATE OF KARNATAKA
   REP BY ITS SECRETARY
   REVENUE DEPARTMENT
   DR. B.R.AMBEDKAR VEEDHI
   BENGALURU - 560 001.

2. THE DEPUTY COMMISSIONER
HASSAN DISTRICT
HASSAN - 573 201.

3. THE ASSISTANT COMMISSIONER
SAKLESHAPURA SUB DIVISION
SAKLESHPURA TALUK
HASSAN DISTRICT - 573 134.

4. THE TAHSIDLAR
BELUR TALUK
HASSAN DISTRICT - 573 115.

5. THE DEPUTY THASILDAR
BELUR TALUK
AREHALLI HOBLI
BELUR TALUK
HASSAN DISTRICT - 573 115.

6. THE REVENUE INSPECTOR
BELUR TALUK
AREHALLI HOBLI
BELUR TALUK
HASSAN DISTRICT - 573 115.

7. THE SURVEYOR
BELUR TALUK
HASSAN DISTRICT - 573 115.

8. SRIGANDA
COFFEE PLANTER
S/O RENUKA KUMAR
HANAGANAHALLI
CHEEKANAHALLI POST

BELUR TALUK
HASSAN DISTRICT – 573 115.

9. ANJAN
S/O S.L. BHEEMARAJU
SIRAGURA POST
BELUR TALUK
HASSAN DISTRICT – 573 115.

…RESPONDENTS

(BY SRI. ADITYA DIWAKARA, AGA FOR R1 TO R7;
SRI. P.G. YATNAL, ADVOCATE FOR R8;
R9 SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE RESPONDENTS NO.4 TO 7 TO CLEAR THE ENCROACHMENT IN THE PETITIONERS GRANTED LAND BY CONSIDERING THE LETTERS/COMMUNICATIONS DATED 04.09.2018 AND 28.11.2018 VIDE ANNEXURE-K2 AND K3 ISSUED BY THE RESPONDENT NO.2 AND ALSO LETTER/COMMUNICATION DATED 16.2.2019 VIDE ANNEXURE-M ISSUED BY THE RESPONDENT NO.3 WITHIN 2 MONTHS.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

1. In this Writ Petition, petitioners have sought for a direction to respondent Nos.4 to 7 to clear the encroachment in the subject land belonging to the petitioners by considering the representations made as per Annexures-K2 and K3.

2. Having taken note of the submissions made by the Learned counsel appearing for the parties, it is forthcoming that this Court has appointed the Court Commissioner to conduct spot inspection and to file the report as to whether there is any encroachment of the land belonging to the petitioners.

3. In this regard, I have carefully examined the Court Commissioner's report dated 25.03.2026, wherein it is stated that there is no encroachment in so far as point A to point B of the sketch enclosed to the Commissioner's report. However, the grievance of the petitioners is to consider the case of the petitioners as to encroachment made in land bearing Sy.Nos.187, 188 and 189 of Shiragura Village, Belur Taluk. In that view of the matter, respondent No.4 is directed to conduct

spot inspection and survey in respect of the land in question along with the jurisdictional ADLR in the presence of the petitioners as well as respondent Nos.8 and 9, on 25.11.2026 at 11.00 a.m. and thereafter take decision in the matter, in accordance with law.

4. It is to be noted that if any encroachment is found to have been made by the petitioners or the private respondent Nos.8 and 9 herein, in respect of the subject land, respondent No.2 is directed to take decision to clear the encroachment in the public road in terms of Section 67 of the Karnataka Land Revenue Act, 1964.

5. With the above observation, the Writ Petition is disposed of.

SD/-
(E.S.INDIRESH)
JUDGE

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List No.: 1 Sl No.: 54