HC-KAR

NC: 2026:KHC:59363
WP No. 6123 of 2023

CNR: KAHC010138472023

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. 6123 OF 2023 (KLR-LG)

BETWEEN:

1. SRI KRISHNA MURTHY B G
   S/O LATE GOVINDAPPA
   AGED ABOUT 38 YEARS
   R/A BHARATHIPURA
   BILLANAKOTE POST
   SOMPURA HOBLI
   NELAMANGALA TALUK
   BENGALURU RURAL DISTRICT
   KARNATAKA-562111

...PETITIONER

(BY SRI. JAYARAJ D S.,ADVOCATE)

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

AND:

1. THE STATE OF KARNATAKA
   REPRESENTED BY ITS CHIEF SECRETARY
   REVENUE DEPARTMENT
   M S BUILDING
   BENGALURU-560001.

2. THE DEPUTY COMMISSIONER
   AND DISTRICT MAGISTRATE
   BANGALORE RURAL DISTRICT
   KARNATAKA-562111.

3. THE AGRICULTURAL PRODUCE
MARKETING COMMITTEE (APMC)
REP BY ITS SECRETARY
DODDABALLAPUR
BENGALURU-561205.

4. THE TAHSILDAR, NELAMANGALA
BANGALORE RURAL DISTRICT
KARNATAKA-562111.

…RESPONDENTS

(BY SRI ADITYA DIWAKARA, AGA, FOR R1, R2 AND R4,
SRI A C BALARAJ, ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED OFFICIAL REMINDER DTD 30.07.2019 BEARING NO.L.N.D.(N)C.R.32/2018-19 ISSUED BY THE R-2 IN GRANTING THE GOVERNMENT GOMAL LAND MEASURING TO AN EXTENT OF 6 ACRES 10 GUNTAS IN SY.NO.61 SITUATED AT YEDEHALLI, SOMPURA HOBLI, NELAMANGALA TALUK IN FAVOUR OF THE R-3 FOR THE PURPOSES OF AGRICULTURAL PRODUCE MARKETING COMMITTEE (APMC) I.E., FARMERS SUB-MARKET YARD (UPPA MARUKATTE) WHERE PROVIDED IN THE EVENT IF THE SAID GRANT PERTAINS TO THE SAME AND SIMILAR PETITION SCHEDULE PROPERTY BELONGING TO THE PETITIONER PURSUANT TO ISSUANCE OF HAKKUPATRA AND OTHER REVENUE RECORDS VIDE ANNX-A AND ETC.,.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

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

ORAL ORDER

In this writ petition, the petitioner is assailing the order dated 30.07.2019 (Annexure-A) passed by the respondent No.2.

2. Having taken note of the submissions made by the learned counsel for the parties and it is forthcoming from the impugned order dated 30.07.2019 (Annexure-A) issued by the respondent No.2 that, the land bearing Sy. No.61, which is a Gomal land, has been allotted in favour of the respondent No.3-APMC.

3. It is the case of the petitioner that, the petitioner is claiming right over the property as per the Hakkupatra 16.03.1989 said to have been issued by the Sompura Mandal Panchayat. Since the land in question is a Gomal land, and therefore, such land has to be reduced under Section 71 of the Karnataka Land Revenue Act, 1964 by the respondent No.2 alone, and as such, the Sompura Mandal Panchayat has no jurisdiction to issue Hakkupatra in respect of the Gomal land.

4. In that view of the matter, as the similar writ petition has been considered by this Court in WP

No.21054/2021 which came to be dismissed on 01.12.2022, I am of the view that, the writ petition is required to be dismissed.

5. It is also to be noted that, since the land in question has been granted in favour of the respondent No.3 - APMC for the public purpose, I am of the view that, no interference is called for in this writ petition.

Accordingly, the writ petition is dismissed.

SD/-
(E.S.INDIRESH)
JUDGE

BKM
List No.: 1 Sl No.: 6