HC-KAR

NC: 2026:KHC:60576
WP No. 10253 of 2026

CNR: KAHC010231062026

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. 10253 OF 2026 (SC/ST)

BETWEEN:

1. SRI. NARASIMHA MURTHY
   SON OF LATE CHIKKAMUNISHAMAPPA
   AGED ABOUT 52 YEARS,

2. SRI. SRIRAMA
   SON OF LATE CHIKKAMUNISHAMAPPA
   AGED ABOUT 47 YEARS,

   BOTH ARE RESIDING AT
   THOWADANAHALLI,
   NANDI HOBLI,
   CHIKKABALLAPURA TALUK. - 562101

...PETITIONERS

(BY SRI. CHETAN B., ADVOCATE)

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

AND:

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

2. THE DEPUTY COMMISSIONER
   CHICKBALLAPURA TALUK,
   CHICKBALLAPURA DISTRICT - 572101.

3. THE ASSISTANT COMMISSIONER
   CHICKBALLAPURA TALUK,
   CHICKBALLAPURA DISTRICT - 562101.

4. SRI. PAPANNA
SON LATE KONDAPPA
AGED MAJOR
RESIDING AT GANDLAHALLI VILLAGE,
KASABA HOBLI,
CHIKKABALLAPURA TALUK,
CHIKKABALLAPURA DISTRICT - 562101.

5. SMT. NANEMMA
WIFE OF BYANNA
AGED MAJOR
RESIDING AT RENUMAKALAHALLI VILLAGE,
KASABA HOBLI,
CHIKKABALLAPURA TALUK,
CHIKKABALLAPURA DISTRICT - 562101.

6. SRI. VENKATAKRISHNAPPA
SON OF LATE NAGAPPA
AGED MAJOR

7. SRI. VENKATARAJU
SON OF LATE NAGAPPA
AGED MAJOR

8. SRI. MANJUNATHA
SON OF LATE NAGAPPA
AGED MAJOR

RESPONDENTS NO.6 TO 8 ARE
RESIDING AT GANDLAHALLI VILLAGE,
KASABA HOBLI,
CHIKKABALLAPURA TALUK,
CHIKKABALLAPURA DISTRICT -562101.

9. SRI. MUNIVENKATARAYAPPA
SON OF MUNIYAPPA
AGED MAJOR
RESIDING AT GANDLAHALLI VILLAGE,
KASABA HOBLI,

CHIKKABALLAPURA TALUK,
CHIKKABALLAPURA DISTRICT -562101.

10. SRI. CHANNAPPA
SON OF VENKATAPPA
AGED MAJOR
RESIDING AT SOPPAHALLI VILLAGE,
KASABA HOBLI,
CHIKKABALLAPURA TALUK,
CHIKKABALLAPURA DISTRICT -562101.

…RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 TO R3;
SRI. N.DEVENDRA, ADVOCATE FOR R4 TO R10)

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.Chetan.B, counsel for the petitioners, Smt.Savithramma., AGA for respondents 1 to 3 and Sri.N.Devendra., counsel for respondents 4 to 10 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 a writ of certiorari to quash the orders passed by the Assistant Commissioner and the Deputy Commissioner. These orders are challenged in this writ petition on several grounds as set out in the memorandum of the writ petition.

3. Counsel for the respective parties advanced several contentions.

AGA submits that an appropriate order may be passed.

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

5. The present issue is confined to the resumption proceedings. The land in question was granted to the original grantee in 1952 and was subsequently sold in 1961. Thereafter, several successive sale transactions took place in respect of the said land.

In the year 2007, resumption proceedings were initiated before the Assistant Commissioner seeking resumption of the land. The Assistant Commissioner allowed the petition and ordered resumption of the land. Aggrieved by the said order, an appeal was preferred before the Deputy Commissioner, who passed orders in the years 2016, 2017 and 2021. However, the petitioners have approached this Court only in the year 2026, after an inordinate and unexplained delay of nearly ten years from the order passed in 2016, nine years from the order passed in 2017 and five years from the order passed in

2021. A perusal of the writ petition reveals that the petitioners have not offered any explanation whatsoever for the delay and laches in approaching this Court.

In the absence of any averments explaining such inordinate delay and laches, this Court is of the considered opinion that the writ petition is liable to be dismissed on the ground of delay and laches. Accordingly, the writ petition, being devoid of merit on the ground of delay and laches, stands ***dismissed***. Since the writ petition is being dismissed solely on the ground of delay and laches, this Court refrains from expressing any opinion on the merits of the case.

Because of dismissal 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.: 28