HC-KAR

NC: 2026:KHC:60215
WP No. 11799 of 2020

CNR: KAHC010234872020

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. 11799 OF 2020 (SC-ST)

BETWEEN:

1. H.S.BHAGYA
   AGED ABOUT 65 YEARS,
   W/O LATE K.P MARULAIAH,

2. K.M. DHANANJAYA
   AGED ABOUT 40 YEARS
   S/O LATE K.P MARULAIAH,

3. K.M. NAVEENA
   AGED ABOUT 37 YEARS
   S/O LATE K.P MARULAIAH

   ALL ARE RESIDENTS OF:
   KENKERE VILLAGE, HULIYAR HOBLI,
   CHIKKANAYAKANAHALLI TALUK,
   TUMAKURU DISTRICT - 572 201.

...PETITIONERS

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

(BY SRI. M. VINAYA KEERTHY, ADVOCATE)

AND:

1. DEPUTY COMMISSIONER
   TUMAKURU DISTRICT,
   TUMAKURU - 572 201.

2. ASSISTANT COMMISSIONER
   TIPTUR SUB-DIVISION,
   TIPTUR,
   TUMAKURU DISTRICT - 572 201.

3. K.R. PARVATHAMMA
AGED ABOUT 69 YEARS,
D/O LATE RANGAIAH,
KENKERE VILLAGE, HILIYAR HOBLI,
CHIKKANAYAKANAHALLI TALUK,
TUMAKURU DISTRICT - 572 201.

…RESPONDENTS

(BY SMT. SAVITHRAMMA, AGA FOR R1 AND R2;
R3 SERVED AND UNREPRESENTED)

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.M.Vinaya Keerthy., counsel for the petitioners and Smt.Savithramma., Additional Government Advocate for respondent Nos.1 and 2 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:

> *"a) Issue a writ of certiorari quashing the impugned order Dt. 21.03.2005 passed by the first Respondent in Appeal No.PTCL/36/99-2000 (Annexure-C);*
>
> *b) Issue a writ of certiorari quashing the impugned order Dt. 18.05.2015 passed by the first Respondent in Petition No.PTCL/24/2005-06 (Annexure-D);*
>
> *c) Pass such other reliefs/s as this Hon'ble Court may deem fit and proper, in the interest of justice and equity."*

3. Counsel for the respective parties advanced several contentions.

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

5. Suffice it to note that the Deputy Commissioner passed the impugned order on 18.05.2015, whereas the present writ petition came to be filed only in 2020, after a lapse of nearly five years. In paragraph No. 5 of the writ petition, the petitioners have contended that the matter had remained adjourned for a considerable period and that the order passed by the Deputy Commissioner was not within their knowledge.

It is incumbent upon a litigant or his counsel to diligently monitor the progress of the proceedings and ascertain whether any order has been passed by the concerned authority, particularly when the matter stands adjourned. The petitioners cannot seek to justify the inordinate delay in approaching this Court merely on the

ground that they were unaware of the order passed by the Deputy Commissioner.

The explanation furnished in paragraph No. 5 of the writ petition does not constitute sufficient cause to condone the delay or overcome the laches attributable to the petitioners. Accordingly, the writ petition is liable to be ***dismissed*** on the ground of delay and laches. Since the petition is being dismissed on this preliminary ground, this Court refrains from examining 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

CH
List No.: 2 Sl No.: 24