HC-KAR

NC: 2026:KHC:60835
WP No. 15080 of 2022

CNR: KAHC010338042022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 15080 OF 2022 (SC/ST)

BETWEEN:

SRI. SUBBARAYUDU
S/O LATE NAGAIAH
AGED ABOUT 53 YEARS
R/AT NO.367, JEEVAN JYOTHI NILAYA,
7TH MAIN ROAD, LAKSHMIDEVINAGARA,
NANDINI LAYOUT, BENGALURU-560096

…PETITIONER

(BY SRI. SARAVANA S., ADVOCATE)

AND:

1. THE KARNATAKA STATE COMMISSION
   FOR THE SCHEDULED CASTES AND
   SCHEDULED TRIBES, BENGALURU,
   OFFICE AT NO.14/3, 2ND FLOOR,
   CFC BUILDING, NRUPATHUNGA ROAD,
   BENGALURU-560001.

2. HANUMANTHARAYAPPA G.,
   S/O LATE GOVINDHAPPA
   AGED ABOUT 60 YEARS
   SHIVANAPURA VILLAGE
   DASANAPURA HOBLI
   BENGALURU NORTH TALUK
   BENGALURU URBAN-562162

…RESPONDENTS

(BY SRI. C.JAGADISH, ADVOCATE FOR R1;
SRI. ARJUN S., ADVOCATE FOR R2 - ABSENT)

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

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 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.Saravana S., counsel for the petitioner appeared in person.

There is no representation on behalf of respondent No.2.

2. The petition is filed seeking following reliefs:

(i) Issue a writ in the nature of certiorari to quash the orders dated 08.07.2022 passed by the 1st respondent in proceedings Case No.Jameenu/142/2022 at Annexure-G, and all further proceedings as lacking inherent jurisdiction; and

(ii) Pass such other order as this Hon'ble Court deems appropriate to meet the ends of justice.

3. Counsel for the petitioner advanced several contentions.

Counsel for the petitioner argued that admittedly, the resumption proceedings are pending before the Assistant Commissioner. However, the Committee taking note of the compromise decree has issued summons and is dealing with the matter in respect of the subject land. It has been vehemently contended that the Committee has no power and jurisdiction to deal with the matter. Accordingly, he submitted that the petition may be allowed.

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

5. Suffice it to note that the resumption proceedings have been initiated at the instance of the family members of the grantee and are presently pending adjudication before the Assistant Commissioner. However, taking note of an alleged compromise stated to have been entered into between the parties, the Committee has

initiated proceedings and is proceeding to deal with the subject land.

In the considered opinion of this Court, the Committee lacks the power and jurisdiction to entertain or adjudicate the matter, particularly when the resumption proceedings are already pending consideration before the Assistant Commissioner. The Committee has failed to take note of this material aspect and has proceeded to issue summons and undertake proceedings in respect of the subject land, despite the matter being seized of by the competent authority.

6. For the foregoing reasons, the proceedings before the Committee is liable to be quashed and it is quashed.

7. The writ of certiorari is ordered. The order dated 08.07.2022 passed by the first respondent at Annexure-G is hereby quashed.

8. Resultantly, the writ petition is ***allowed***.

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

SD/-
(JYOTI M)
JUDGE

SS
List No.: 1 Sl No.: 21