HC-KAR

NC: 2026:KHC:63886
WP No. 16661 of 2024

CNR: KAHC010340372024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO.16661 OF 2024 (KLR-RES)

BETWEEN:

1. THE FOREST OFFICIALS HOUSING
CO-OPERATIVE SOCIETY LTD.
HAVING ITS REGISTERED OFFICE,
AT NO.406, 4TH FLOOR,
VANAVIKASA, 18TH CROSS,
MALLESWARAM,
BENGALURU - 560003
REPRESENTED BY ITS SECRETARY.

…PETITIONER

(BY SRI. RAGHAVENDRA RAO K., ADVOCATE)

AND:

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

1. THE STATE OF KARNATAKA
DEPARTMENT OF REVENUE,
REP. BY ITS PRINCIPAL SECRETARY,
VIKAS SOUDHA,
BENGALURU - 560001.

2. THE DEPUTY COMMISSIONER
BENGALURU DISTRICT,
BENGALURU - 560001.

3. THE ASSISTANT COMMISSIONER
BENGALURU SOUTH SUB-DIVISION,
KANDAYA BHAVANA,
2ND FLOOR, K.G.ROAD,
BENGALURU - 560009.

4. THE SPECIAL TAHSILDAR
BENGALURU SOUTH TALUK,
KANDAYA BHAVANA,
2ND FLOOR, K.G.ROAD,
BENGALURU - 560009.

…RESPONDENTS

(BY SRI. ADITYA DIWAKARA, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE IMPUGNED ORDER PASSED BY RESPONDENT NO. 3 IN NO. R.R.T.(S.K)/C.R.167/2023-24 DATED 11.03.2024 FOUND AT ANNEXURE-D AND THE IMPUGNED MUTATION IN M.R.NO. T9/2023-24 DATED 22.05.2024 FOUND AT ANNEXURE-E ISSUED BY THE RESPONDENT NO.4 TO THE EXTENT OF MAKING THE ENTRY KENCHENAHALLI RESERVE FOREST FOR 3.32 ACRES IN SY.NO.20 OF KENCHENAHALLI

VILLAGE, ALLOW THIS WRIT PETITION WITH COSTS AND GRANT SUCH OTHER RELIEFS AS THIS HON'BLE COURT.

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, petitioner – Society is assailing the letter dated 11.03.2024(Annexure-D) addressed by respondent No.3 to respondent No.4.

2. It is contended by Sri. Raghavendra Rao K., learned counsel appearing for the petitioner-Society, by referring to the record of rights produced at Annexure-A Series, that land in question has been allotted in favour of the petitioner – Society, however, without hearing the petitioner – Society, the very same land has been earmarked as forest land by competent authorities and no notice has been effected before effecting

change in the record of rights and therefore, the petitioner – Society has sought for interference of this Court.

3. Per contra, Sri. Aditya Diwakara, learned Additional Government Advocate appearing for the respondents, submitted that the land in question is forest land and therefore, the appropriate changes have been effected in the mutation records.

4. In the light of the submissions made by the learned counsel appearing for the parties, perusal of the material on record would indicate that the land in question has been allotted in favour of the petitioner – Society, however, respondent No.3 has addressed the letter dated 11.03.2024 to respondent No.4 seeking change of entry in respect of the subject land without hearing the petitioner – Society.

5. It is also to be noted that in the event, if any entry has to be changed by the competent authority, the aggrieved party has to be heard before effecting such changes as per Section 136(2) of the Karnataka Land Revenue Act, 1964. In that view

of the matter, I find force in the submissions made by the learned counsel appearing for the petitioner – Society.

6. Accordingly I pass the following:

ORDER

(i) The Writ Petition is allowed.

(ii) The letter dated 11.03.2024 (Annexure-D) addressed by respondent No.3 to respondent No.4 is accordingly, set aside.

(iii) The revenue entries in respect of the subject land be restored in favour of the petitioner-Society, accordingly.

SD/-
(E.S.INDIRESH)
JUDGE

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List No.: 1 Sl No.: 55