HC-KAR

NC: 2026:KHC:55165
WP No. 16857 of 2023

CNR: KAHC010392772023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 05TH DAY OF OCTOBER, 2026

BEFORE

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

WRIT PETITION NO.16857 OF 2023 (KLR-RES)

BETWEEN:

1. SMT. K. VANI
   W/O MANOHAR C SARAF
   AGED ABOUT 62 YEARS
   OCCUPATION: ADVOCATE AND NOTARY
   R/O BELIHALLY, KOPPA TALUK
   CHIKMAGALURU-577126.

…PETITIONER

(BY SRI. GIREESHA KODGI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
   REPRESENTED BY ITS CHIEF SECRETARY
   REVENUE DEPARTMENT
   VIDHANA SOUDHA
   BENGALURU-560001.

2. THE DEPUTY COMMISSIONER
   DISTRICT FIELD ROAD
   VIJAYA NAGAR
   CHIKMAGALURU
   KARNATAKA-577101.

3. THE ASSISTANT COMMISSIONER
   DISTRICT FIELD ROAD
   VIJAYANAGAR
   CHIKMAGALURU
   KARNATAKA-577101.

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

4. THE TAHSILDAR
AUTHORITY FOR REGULARIZATION OF
UNAUTHORIZED CONSTRUCTION OF HOUSE IN
GOVERNMENT LAND KOPPA TALUK
CHIKMAGALURU-577126.

BALAGOPALA JOIS
DEAD REPRESENTED BY HIS LRS

5. SMT. ARUNDATHI
W/O BALAGOPALA JOIS
AGED ABOUT 53 YEARS

6. SMT. SAVITHA
D/O BALAGOPALA JOIS
AGED ABOUT 40 YEARS

7. SMT. KAVITHA
D/O BALAGOPALA JOIS
AGED ABOUT 37 YEARS

8. SMT. VINUTHA
D/O BALAGOPALA JOIS
AGED ABOUT 34 YEARS

9. K B HEMANTHA
S/O BALAGOPALA JOIS
AGED ABOUT 32 YEARS

RESPONDENTS NO.5 TO 9 ARE
R/O BELIHALLI,
KOPPA TALUK,
CHIKMAGALURU-577126.

…RESPONDENTS

(BY SRI. ADITYA DIWAKARA, AGA FOR R1 TO R4;

SRI. PRASHANTH D., ADVOCATE TO R5 TO R9)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE RESPONDENT NO.4 TO GRANT HOUSE OCCUPIED BY THE PETITIONER SITUATED AT BELIHALLY, GOVERNMENT LAND IN SY.NO.130 OF KOPPA VILLAGE, KASAB HOBLI, KOPPA TALUK, CHIKMAGALURE DISTRICT BY RESTORING THE ORDER DATED 05.01.2002 IN NO. AMS 94/2000-01 AND THE SAGUVALLICHIT DT. 17.01.2002 PASSED BY THE RESPONDENT NO.4.

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

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

ORAL ORDER

1. Heard Sri. Gireesh Kodgi, learned counsel appearing for the petitioner; Sri. Aditya Diwakara, learned Additional Government Advocate appearing for the respondent-State and Sri. Prashanth D., learned counsel appearing for the respondent Nos. 5 to 9.

2. In this writ petition, the petitioner is assailing the Endorsement dated 15.09.2018 at Annexure-A issued by respondent No.4-Tahsildar.

3. Having heard the learned counsel appearing for the parties, it is forthcoming that the respondent-authorities have considered the applications made by similarly placed persons, including the brother of the petitioner. However, the application submitted by the petitioner has been rejected without passing a speaking order.

4. In that view of the matter, I am of the view that the following order would meet the ends of justice:

ORDER

i. The writ petition is ***allowed***.

ii. The Endorsement dated 15.09.2018 at Annexure-A issued by respondent No.4-Tahsildar is hereby set aside.

iii. The matter is remitted to respondent No.4 to reconsider the application submitted by the petitioner and take an appropriate decision, after affording an opportunity of hearing to the petitioner and other concerned parties, within an outer limit of six months from the date of receipt of a certified copy of this order.

SD/-
(E.S.INDIRESH)
JUDGE

SB
List No.: 1 Sl No.: 2