HC-KAR

NC: 2026:KHC:59746
WP NO.24944 OF 2026

CNR: KAHC010547412026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

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

WRIT PETITION NO.24944 OF 2026 (KLR-CON)

BETWEEN:

1. SRI. V. SRINIVAS
S/O SRI. VENKATARAVANAPPA,
AGED ABOUT 57 YEARS,
R/AT IMMADIHALLI VILLAGE,
K.R. PURAM HOBLI,
BENGALURU EAST TALUK – 560 036.

2. SRI. N. SRINATHA
S/O H.G. NAREPPA,
AGED ABOUT 49 YEARS,
R/AT HOSAHALLI VILLAGE,
YELDUR HOBLI, HOGALGERE POST,
SRINIVASPURA TALUK - 563 138.

…PETITIONERS

(BY SRI. R. SRINIVASA GOWDA, ADVOCATE)

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

AND:

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

2. THE DEPUTY COMMISSIONER
KOLAR DISTRICT,
KUMBARAHALLI,
MULABAGAL ROAD, NH-75,
KOLAR-563 101.

3. THE TAHSILDHAR
KOLAR TALUK,
KOLAR – 563 101.

4. THE MEMBER SECRETARY
VEMGAL-NARASAPURA PLANNING AUTHORITY,
VEMGAL,
KOLAR TALUK - 563 157.

5. THE CHIEF OFFICER
VEMGAL-KURUGAL TOWN MUNICIPAL COUNCIL,
VEMGAL,
KOLAR TALUK - 563 157.

6. MR. C. DEVARAJ
S/O CHIKKAMUNIVENKATAPPA,
AGED ABOUT 55 YEARS,
R/AT BETTAHOSAPURA VILLAGE,
MEDIHALA POST,
KOLAR TALUK - 563 157.

…RESPONDENTS

(BY SRI. SHAMANTH NAIK, AGA FOR R1 TO R3;
SRI. N.R. KRISHNAPPA, ADVOCATE FOR C/R6;
R4 AND R5 SERVED AND UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER DATED 22ND JULY, 2026 PASSED IN OFFICIAL MEMORANDUM BEARING NO.A.L.N.CR.54/2025-26/E-COMP.NO.975220 BY THE RESPONDENT NO.2 VIDE ANNEXURE-N; AND ETC.

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

In this petition, petitioners are challenging the order dated 22nd July, 2026 (Annexure-N) passed by the respondent No.2-Deputy Commissioner in Official Memorandum bearing No.A.L.N.CR.54/2025-26/E.COMP No.975220.

2. Heard Sri. R. Sirnivasa Gowda, learned counsel appearing for the petitioners; Sri. Shamanth Naik, learned Additional Government Advocate appearing for respondents 1 to 3; and Sri. N.R. Krishnappa, learned counsel appearing for the respondent No.6.

3. Having heard the learned counsel appearing for the parties, on perusal of the writ papers, it is forthcoming that the respondent No.2-Deputy Commissioner had passed order of conversion dated 06th September, 2022 (Annexure-K) in respect of the subject land from Agricultural to Residential purpose. Thereafter, at the behest of the respondent No.6 herein, the respondent No.2 had cancelled the order of conversion by the impugned order dated 22nd July, 2026 (Annexure-L).

4. This Court, in Writ Petition No.45634 of 2013 disposed of on 14th November, 2013 held that, once the order of conversion is passed by the Deputy Commissioner under the provisions of Karnataka Land Revenue Act, the said authority becomes *functus officio.* Paragraph 6 of the said order reads as under:

> *"6. That apart, the Act provides for appeal to be filed from an original order passed by the Deputy Commissioner to the tribunal as per Section 49 of the Act. The second respondent ought to have availed that remedy. Nowhere in the Act is there a provision for cancellation of an order of conversion. The decision relied upon by the counsel for respondent No.2 in the case of Lakshman V/s. State of Karnataka (ILR 1995 Kar. 1871) is not applicable to the present case as that decision arises under Section 24 of the Act where the Revenue Officers constitute a Revenue Court and Section 25 specifically provides for inherent powers of a Revenue Court. But in the instant case, the administrative power of the Deputy Commissioner is exercised under Section 95 of the Act. Once the order is passed under that Section, the authority becomes functus officio. There can be no review of an administrative action unless specifically provided in the statute. This is unlike the case of exercise of a quasi judicial or judicial powers, wherein the power of review may be provided under the statute explicitly or could be*

read as part of the inherent powers of such an authority. Therefore, the Deputy Commissioner would not have passed the impugned order cancelling the order of conversion granted on 08/08/2011. On this ground also, the impugned order is quashed."

5. Therefore, following the law declared by this Court in the aforesaid writ petition, the respondent No.2-Deputy Commissioner ought not have passed the order of cancellation of conversion of the subject land as the said authority becomes *functus officio*. Therefore, impugned order dated 22nd July, 2026 (Annexure-N) passed by the respondent No.2-Deputy Commissioner in Official Memorandum bearing No.A.L.N.CR.54/2025-26/E.COMP No.975220 is hereby set-aside. In the result, writ petition is ***allowed.***

SD/-
(E.S.INDIRESH)
JUDGE

ARK
List No.: 1 Sl No.: 57