HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT PETITION NO. 26029 OF 2022 (KLGP)

BETWEEN:

SMT BIDDANDA NEELAMMA
W/O SRI BELLIAPPA
AGED ABOUT 65 YEARS
OCC-AGRICULTURIST
R/A KOLATHODU BYGODU VILLAGE
AMMATHI HOBLI,
VIRAJPET TALUK
KODAGU DISTRICT
PIN CODE - 571 211.

...PETITIONER

(BY SRI ANEES AHMED, ADV.)

AND:

1. THE CHIEF SECRETARY
   GOVERNMENT OF KARNATAKA
   VIDHANA SOUDHA,
   BENGALURU
   KARNATAKA STATE
   PIN CODE - 560 001.

2. THE DEPUTY COMMISSIONER
   KODAGU DISTRICT,
   MADIKERI
   PIN CODE - 571 201.

3. THE ASSISTANT COMMISSIONER
   KODAGU, MADIKERI
   KODAGU DISTRICT
   PIN CODE - 571 201.

4. THE TAHSILDAR

Digitally signed by VASANTHA KUMARY B K
Location: HIGH COURT OF KARNATAKA

VIRAJPET TALUK, VIRAJPET
KODAGU DISTRICT
PIN CODE - 571 218.

5. THE REVENUE INSPECTOR
AMMATHI HOBLI, VIRAJPET TALUK
KODAGU DISTRICT
PIN CODE - 571 211.

6. THE SUB INSPECTOR OF POLICE
VIRAJPET RURAL POLICE STATION
VIRAJPET, PIN CODE - 571 218.

…RESPONDENTS

(BY SRI G.S. ARUNA, HCGP)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI QUASHING THE IMPUGNED ORDER DATED 29/09/2018, VIDE ANNEXURE-A, PASSED IN OS NO.76/2011, BY THE COURT OF THE CIVIL JUDGE AND J.M.F.C., AT VIRAJPET AND ORDER DATED 19/08/2019, VIDE ANNEXURE-B, PASSED IN LGC (T) NO.1853/2018, BY THE COURT OF KARNATAKA LAND GRABBING PROHIBITION SPECIAL COURT, BENGALURU, AND CONSEQUENTLY, BE PLEASED TO RESTORE THE SUIT PROCEEDINGS OF OS NO.76/2011 TO ITS ORIGINAL FILE 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 D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL ORDER

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present writ petition has been filed impugning the order dated 29.09.2018 passed by the learned Civil Judge and JMFC, Virajpet in O.S.No.76/2011 as also the order dated 19.08.2019 passed by the Karnataka Land Grabbing Prohibition Special Court, Bengaluru in LGC(T) No.1853/2018.

2. The petitioner had encroached upon suit 'B' schedule property, which is a Government land. She filed the aforesaid suit for restraining the defendants/respondents from interfering with her possession of the said property. The suit proceedings got transferred to the Karnataka Land Grabbing Prohibition Special Court, Bengaluru.

3. The Land Grabbing Court, vide order dated 19.08.2019, has held that the petitioner is in unauthorized occupation of suit 'B' schedule property as provided under the provisions of the Karnataka Land Grabbing Prohibition Act, 2011 and hence, directed the Tahsildar to initiate appropriate proceedings against the petitioner by filing a complaint.

4. The petitioner herself has admitted that she is not the owner of the suit 'B' schedule property. We, therefore, find no reason to interfere with the order passed by the Land Grabbing Court. Accordingly, the writ petition is dismissed.

5. The interim order earlier granted by this Court stands vacated.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(T.M.NADAF)
JUDGE

RKA
List No.: 2 Sl No.: 5