HC-KAR

NC: 2026:KHC:59421
WP No. 27540 of 2023

CNR: KAHC010633562023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

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

WRIT PETITION NO.27540 OF 2023 (KLR-RES)

BETWEEN:

1. SRI. CHENNAPPA
S/O LATE HANUMANTHAIAH,
AGED ABOUT 65 YEARS,
RESIDING AT NO.39,
KANAKAPURA MAIN ROAD,
AGARA THATAHGUNI POST,
THALAGATTAPURA,
BENGALURU – 560 062.

2. SMT. KALYANAMMA
W/O H. KEMPANNA,
AGED ABOUT 68 YEARS,
RESIDING AT NO.116,
AGARA KANAKAPURA MAIN ROAD,
BENGALURU SOUTH TALUK – 560 062.

…PETITIONERS

(BY SRI. VENUGOPAL M.S., ADVOCATE)

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

AND:

1. STATE OF KARNATAKA
DEPARTMENT OF REVENUE,
REPRESENTED BY ITS SECRETARY,

VIKASA SOUDHA,
BENGALURU – 560 001.

2. THE DEPUTY COMMISSIONER
BENGALURU DISTRICT,
KANDAYA BHAVANA,
K G ROAD,
BENGALURU - 560 009.

3. THE COMMISSIONER
DEPARTMENT OF SURVEY
OF LAND RECORDS,
K R CIRCLE,
BENGALURU – 560 001.

4. REGIONAL JOINT DIRECTOR
OF LAND RECORDS
K R CIRCLE
BENGALURU – 560 001.

5. THE JOINT DIRECTOR OF LAND RECORDS
OFFICE OF THE DEPUTY COMMISSIONER,
BENGALURU CITY DISTRICT,
K G ROAD,
BENGALURU – 560 009.

6. THE ASSISTANT DIRECTOR OF LAND RECORDS
BENGALURU SOUTH TALUK,
KANDAYA BHAVAN, 1ST FLOOR,
BENGALURU – 560 009.

7. THE DEPUTY DIRECTOR OF LAND RECORDS
OFFICE OF DEPUTY COMMISSIONER,
BENGALURU CITY DISTRICT,

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 ENDORSEMENT DATED 18/01/2023 BEARING NO. Bhu.Sa.Ni/11E/401/2022-23 ISSUED BY THE RESPONDENT NO.6 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

1. In this Writ Petition, petitioners are assailing the endorsement bearing No.Bhu.Sa.Ni/11E/401/2022-23 dated 18.01.2023 (Annexure-N) issued by respondent No.6.

2. Having taken note of the submissions made by the learned counsel appearing for the parties, it is forthcoming from the letter dated 21.02.2019 issued by respondent No.3, wherein direction is issued to respondent No.5 to take decision to conduct phodi in respect of the subject land, in accordance with law. Further perusal of the notice dated 10.10.2022 (Annexure-M) would indicate that respondent No.5 has sought for explanation from respondent No.6 as to delay in conducting phodi in respect of the subject land.

3. It is also to be noted that the impugned endorsement at Annexure-N is contrary to the provisions contained under the Karnataka Land Revenue Act, 1964 as it is the duty of respondent No.6 to conduct survey in terms of the direction issued by respondent Nos.3 and 5. In that view of the matter, the action of respondent No.6 is deprecated.

4. Accordingly, I pass the following:

ORDER

(i) The Writ Petition is allowed.

(ii) The impugned endorsement dated 18.01.2023 (Annexure-N) issued by respondent No.6 is accordingly, set aside.

(iii) Respondent No.6 is directed to conduct phodi in respect of subject land in terms of the direction issued by respondent No.3 dated 21.02.2019 and the letter dated 05.03.2019 issued by respondent No.5, and complete the entire process within six months from the date of receipt of certified copy of this order, in accordance with law.

Sd/-
(E.S.INDIRESH)
JUDGE

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List No.: 1 Sl No.: 59