HC-KAR

NC: 2026:KHC:59757
WP NO.33105 OF 2026

CNR: KAHC010722162026

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.33105 OF 2026 (LR)

BETWEEN:

SRI. Y.N. CHALUVAIAH
S/O LATE B. NARASIMHE GOWDA,
AGED ABOUT 87 YEARS,
R/AT NO.L85, 6TH SECTOR,
14TH CROSS, H.S.R. LAYOUT,
BENGALURU – 560 102.

PRESENT ADDRESS:
SRI. Y.N. CHALUVAIAH
S/O LATE B. NARASIMHE GOWDA,
AGED ABOUT 87 YEARS,
R/AT FLAT NO.701-B, XEMON TOWER,
CENTURY ETHOS, BALLARI ROAD,
BYATARAYANAPURA,
BENGALURU – 560 092.

...PETITIONER

(BY SRI. RAJEGOWDA B., ADVOCATE)

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

AND:

1. THE ASSISTANT COMMISSIONER
   MANDYA,
   MANDYA DISTRICT.

2. THE TAHASILDAR
   MANDYA TALUK,
   MANDYA DISTRICT.

...RESPONDENTS

(BY SMT. SHARADA H.V., AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER PASSED BY THE RESPONDENT NO.1 IN CASE NO.L.R.F.95/2010-11 DATED 06TH JANUARY, 2011 VIDE ANNEXURE-A; AND ETC.

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

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

ORAL ORDER

Smt. Sharada H.V., learned Additional Government Advocate accepts notice for respondents.

2. In this petition, the petitioner is challenging the order dated 06th January, 2011 (Annexure-A) passed by the respondent No.1-Assistant Commissioner in Case No.L.R.F.95/2010-11.

2. Heard Sri. Raje Gowda B., learned counsel appearing for the petitioner and Smt. Sharada H.V., learned Additional Government Advocate appearing for respondents.

3. It is noticed that, in an identical circumstances, the Co-ordinate Bench of this Court in the case of **M*/S. PAPAIN AND CHEMICALS (P) LTD. AND ANOTHER vs. THE STATE OF KARNATAKA AND OTHERS*** made in *Writ Petition*

*No.20349 of 2023 d*ecided on *01st April, 2025,* allowed the writ petition. At paragraph 3 of the said order, it is held as under:

> *"3. In the normal course, the matter would have to be remanded to the Assistant Commissioner, since Sections 79A and 79B of the Act were omitted by virtue of an amendment to the Land Reforms Act, no useful purpose would be served by remanding the matter to the Assistant Commissioner and hence, the impugned proceedings initiated shall stand abated."*

4. Taking into account the fact that the petitioner herein is challenging the order of vesting passed by the Assistant Commissioner for contravention of Sections 79A and 79B of the Karnataka Land Reforms Act, 1961 and the said provisions were omitted by virtue of an amendment to the Land Reforms Act, I am of the view that the present petition deserves to be allowed, by following the order passed by the Co-ordinate Bench of this Court in Writ Petition No.20349 of 2023 decided on 01st April, 2025.

5. Accordingly, I pass the following:

O R D E R

(i) Writ Petition ***allowed;***

(ii) Order dated 06th January,*2011(Annexure-A) passed by the respondent No.1-Assistant Commissioner in Case No.L.R.F.95/2010-11 is hereby set-aside;

(iii) The respondent No.2-Tahsildar is directed restore the name of the petitioner in the revenue records in respect of the subject land forthwith.

Sd/-
(E.S. INDIRESH)
JUDGE

ARK
List No.: 1 Sl No.: 31

*corrected vide Chambers Order dated 05.11.2026.