HC-KAR

NC: 2026:KHC:61164
WP No. 33558 of 2026

CNR: KAHC010737482026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO. 33558 OF 2026 (KLR-RES)

BETWEEN:

1. SMT DEVIRAMMA
D/O LATE. NANJUNDAPPA,
W/O BASAVARAJAPPA,
AGED ABOUT 62 YEARS,
NEAR NEW ARUNODAYA COLLEGE,
TARIKERE ROAD,
AJJAMPURA TOWN AND TALUK,
CHIKKAMAGALURU DISTRICT- 577547.

...PETITIONER

(BY SRI. GOPALAKRISHNAMURTHY.C.,ADVOCATE)

AND:

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

1. THE STATE OF KARNATAKA
R/BY ITS PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU -560001.

2. THE DEPUTY COMMISSIONER,
CHIKKAMAGALURU CITY
AND DISTRICT-577501.

3. THE TAHSILDAR,
AJJAMPURA TOWN AND TALUK,
CHIKKAMAGALURU DISTRICT-577547.

4. THE ASSISTANT COMMISSIONER,
OFFICE OF THE ASSISTANT COMMISSIONER
TARIKERE SUB DIVISION, AJJAMPURA TALUK,
CHIKKAMAGALURU DISTRICT-577547.

5. MARULASIDDAPPA J.N,
S/O LATE. NANJUNDAPPA,
AGED ABOUT 62 YEARS,
R/O JALADIHALLI VILLAGE,
JAVOORU POST, SHIVANI HOBLI,
AJJAMPURA TALUK,
CHIKKAMAGALURU DISTRICT-577547.

6. CHANDRAPPA.K.N,, S/O LATE. KALLAPPA,
R/O NEAR RAMA MANDIR, ASHOKANAGAR,
BIRUR TOWN, KADUR TALUK,
CHIKKAMAGALURU DISTRICT-577116.

…RESPONDENTS

(BY SRI SHAMANTH NAIK, AGA, FOR R1 TO R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS AND QUASHING THE ORDER IN NO. L.N.D.C.R.68/88-89 DATED 29/08/1988 PASSED BY THE RESPONDENT NO.2 INCLUDING THIS AREA, A TOTAL AREA OF 277-26 ACRES AS PER VIDE ANNEXURE-B, WHICH INCLUDES 8-07 ACRES OF OTHER AREAS IN SURVEY NO. 44, WAS TRANSFERRED TO THE FOREST DEPARTMENT, AND THE RIGHTS WERE RECORDED BY PASSING THE MUTATION ORDER IN M.R. 5/1988-89 AS PER VIDE ANNEXURE-C 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

Learned Additional Government Advocate accepts notice for respondent Nos.1 to 4.

2. In this writ petition, petitioner is assailing the order dated 16.06.1988/29.09.1988 (Annexure - B), wherein the land in question has been transferred to the Forest Department, and accordingly, M.R. No.5/1988-89 (Annexure-C) has been effected pursuant to the GO dated 29.12.1988.

3. In that view of the matter, as the land in question has been transferred to the Forest Department on 16.06.1988, and after an inordinate delay of thirty-eight years, the petitioner cannot challenge the same, as there is a delay and laches on the part of the petitioner. Accordingly, following the judgment of Hon'ble Supreme Court in the case of **Mrinmoy Maity vs Chhanda Koley & others** reported in **(2024) 4 SCR 506,** the writ petition is dismissed on the ground of delay in laches.

SD/-
(E.S.INDIRESH)
JUDGE

BKM
List No.: 1 Sl No.: 31