HC-KAR

NC: 2026:KHC:61271
WP NO.33816 OF 2026

CNR: KAHC010738522026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 04TH DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO.33816 OF 2026 (KLR-RES)

BETWEEN:

SRI. SURENDRA SHETTY H.
S/O LATE K.B. SHETTY,
AGED ABOUT 49 YEARS,
R/AT HADALI HEBBAGILU MANE,
AMPAR VILLAGE, KAVRADY POST,
KUNDAPURA TALUK,
UDUPI DISTRICT – 576 211.

…PETITIONER

(BY SRI. CHANDRAKANTH R. GOULAY, ADVOCATE)

AND:

1. STATE OF KARNATAKA
   REP. BY ITS PRINCIPAL SECRETARY,
   REVENUE DEPARTMENT,
   VIDHANA SOUDHA,
   BENGALURU – 560 001.

2. THE DEPUTY COMMISSIONER
   UDUPI DISTRICT,
   UDUPI – 576 104.

3. THE ASSISTANT COMMISSIONER
   KUNDAPURA TALUK,
   UDUPI DISTRICT – 576 201.

4. THE TAHSILDAR
   KUNDAPURA TALUK,
   UDUPI DISTRICT – 576 201.

…RESPONDENTS

(BY SRI. SHAMANTH NAIK, AGA)

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

CNR: KAHC010738522026

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO SET-ASIDE THE NOTICE BEARING NO.N.CR:766/2025-26 DATED 31ST JANUARY, 2026 ISSUED BY THE RESPONDENT NO.4-TAHSILDAR; SET-ASIDE THE ORDER DATED 15TH SEPTEMBER, 2025 PASSED BY THE RESPONDENT NO.2-DEPUTY COMMISSIONER VIDE ANNEXURE-B; 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

Sri. Shamanth Naik, learned Additional Government Advocate accepts notice for respondents.

2. In this petition, the petitioner is challenging the Notice bearing No.N.CR:766/2025-26 dated 31st January, 2026 (Annexure-C) issued by the respondent No.4-Tahsildar and order dated 15th September, 2025 (Annexure-B) passed by the respondent No.2-Deputy Commissioner.

3. Heard Sri. Chandrakanth R. Goulay, learned counsel appearing for the petitioner and Sri. Shamanth Naik, learned Additional Government Advocate appearing for respondents.

4. Sri. Shamanth Naik, learned Additional Government Advocate appearing for respondents raised preliminary

objection that the petitioner has to exhaust remedy before the Karnataka Appellate Tribunal.

5. Taking into consideration the fact that the petitioner is having a remedy before the Karnataka Appellate Tribunal, I am of the view that, it is open for the petitioner to approach the Karnataka Appellate Tribunal by challenging the impugned order dated 15th September, 2025 (Annexure-B) passed by the respondent No.2-Deputy Commissioner and endorsement dated 31st January, 2026 (Annexure-C) issued by the respondent No.4-Tahsildar. Accordingly, reserving such liberty to the petitioner to approach the Karnataka Appellate Tribunal, writ petition is ***dismissed.***

6. It is made clear that, all contentions of the parties are kept open.

SD/-
(E.S. INDIRESH)
JUDGE

ARK
List No.: 1 Sl No.: 37