HC-KAR

NC: 2026:KHC:61915
WP NO.34562 OF 2026

CNR: KAHC010761642026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 06TH DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO.34562 OF 2026 (KLR-RES)

BETWEEN:

SRI. H. RAJARATHNAM
S/O LATE H.D. HANUMANTHARAYA,
AGED ABOUT 80 YEARS,
R/OF NUGITHAHALLI VILLAGE,
AJJAVARA POST, CHIKKABALLAPURA TALUK,
CHIKKABALLAPURA DISTRICT - 562 101.

...PETITIONER

(BY SRI. SHIVAPRAKASH M., ADVOCATE)

AND:

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

2. THE DEPUTY COMMISSIONER
   CHIKKABALLAPURA DISTRICT,
   CHIKKABALLAPURA - 562 101.

3. THE ASSISTANT COMMISSIONER
   CHIKKABALLAPURA SUB-DIVISION,
   CHIKKABALLAPURA - 562 101.

4. THE DEPUTY DIRECTOR OF LAND RECORDS
   CHIKKABALLAPURA DISTRICT,
   CHIKKABALLAPURA - 562 101.

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

5. THE TAHASILDAR
CHIKKABALLAPURA TALUK,
CHIKKABALLAPURA - 562 101.

…RESPONDENTS

(BY SRI. SHAMANTH NAIK, AGA FOR R1 TO R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE NOTICE ISSUED BY THE RESPONDENT NO.5 BEARING NO.N.C.R/C.R/1039560/26-27 DATED 22ND SEPTEMBER, 2026 VIDE ANNEXURE-F AND FINAL NOTICE BEARING NO.N.C.R/C.R/1039560/26-27 DATED 17TH OCTOBER, 2026 VIDE ANNEXURE-G AND CONSEQUENTLY TO DIRECT THE RESPONDENT-AUTHORITIES STRICTLY TO FOLLOW THE PROCEDURE CONTEMPLATED UNDER THE KARNATAKA LAND REVENUE ACT AND RULES AND TO CONDUCT ENQUIRY IN SUPPORT OF THE DOCUMENTS PLACED BY THE PETITIONER; AND ETC.

THIS PETITION COMING ON FOR ORDERS, 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.C.R/C.R/1039560/2026-27 dated 22nd September, 2026 (Annexure-F) and Final Notice bearing No.N.C.R/C.R/1039560/2026-27 dated 17th October, 2026 issued by the respondent No.5 *inter ali*a, sought for a direction to the respondent-Authorities to strictly follow the procedure contemplated under the Karnataka Land Revenue Act and Rules in respect of the subject land.

3. Heard Sri. Shivaprakash M., learned counsel appearing for petitioners and Sri. Aditya Diwakara, learned Additional Government Advocate appearing for respondents.

4. Having heard the learned appearing for the parties, on perusal of the averments made in the writ petition, it is forthcoming that the respondent No.5-Tahsildar had arrived at a conclusion that the petitioner had encroached Government land. In that view of the matter, I am of the view that, in the event, if the respondent No.5 has to arrive at a conclusion that the petitioner had encroached the subject land, the respondent No.5 ought to have conduct a survey and spot inspection of the subject land and thereafter, to take decision in the matter in

accordance with law. Therefore, the respondent No.5-Thasildar is directed to conduct survey and spot inspection with the assistance of the jurisdictional Assistant Director of Land Records in the presence of the petitioner on ***15th December, 2026 at 11.00 a.m.*** and thereafter, to take decision in the matter, to evict the petitioner in the event, if it is found that the petitioner encroached the subject land as stated in the impugned notices.

5. It is made clear that the respondents shall not interfere with the subject land till the respondent No.5 conducting survey and spot inspection. Accordingly, writ petition is ***disposed of.***

Sd/-
(E.S. INDIRESH)
JUDGE

ARK
List No.: 2 Sl No.: 2