HC-KAR

NC: 2026:KHC:65217
WP NO.34954 OF 2026

CNR: KAHC010765222026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO.34954 OF 2026 (KLR-RES)

BETWEEN:

RAJAMMA
W/O LATE DIAS W.,
AGED ABOUT 70 YEARS,
R/AT NEAR POST OFFICE ROAD,
INDIRANAGAR, NELAMANGALA,
BENGALURU RURAL DISTRICT,
BENGALURU – 562 123.

...PETITIONER

(BY SRI. S.K. ACHARYA, ADVOCATE)

AND:

1. STATE OF KARNATAKA
   BY ITS SECRETARY,
   REVENUE DEPARTMENT,
   M.S. BUILDING,
   AMBEDKAR VEEDHI,
   BENGALURU – 560 001.

2. THE DEPUTY COMMISSIONER AND
   DISTRICT MAGISTRATE
   ZILLA ADALITHA BHAVANA,
   1ST FLOOR
   BEERASANDRA VILLAGE,
   KUNDANA HOBLI, DEVANAHALLI TALUK,
   DEVANAHALLLI,
   BENGALURU RURAL DISTRICT,
   BENGALURU – 562 110.

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

3. THE ASSISTANT COMMISSIONER
DODDABALLAPURA SUB-DIVISION,
DODDABALLAPURA,
DODDABALLAPURA DISTRICT – 562 103.

4. THE THAHASILDAR
NELAMANGALA TAULK,
NELAMANGALA,
BENGALURU RURAL DISTRICT – 562 123.

…RESPONDENTS

(BY SRI. SHAMANTH NAIK, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER DATED 01ST OCTOBER, 2024 PASSED BY THE RESPONDENT NO.2-DEPUTY COMMISSIONER AND DISTRICT MAGISTRATE, BENGALURU RURAL DISTRICT IN CASE NO.LND(NE)CR:26/2017-18 VIDE ANNEXURE-A AND TO DECLARE THE SAME AS UNSUSTAINABLE UNDER LAW AND WITHOUT JURISDICTION; 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 order dated 01st October, 2024 (Annexure-A) passed by the respondent No.2 in Case No.LND(NE)CR:26/2017-18 and the

Direction/Communication made by the respondent No.3 in the letter dated 16th March, 2017 (Annexure-D).

3. Heard Sri. S.K. Acharya, learned counsel appearing for the petitioner and Sri. Shamanth Naik, learned Additional Government Advocate appearing for respondents 1 to 4.

4. Sri. S.K. Acharya, learned counsel appearing for the petitioner submits that, though the petitioner is claiming right over the subject land from her grandmother Lakshmamma W/o late Rangappa, respondent No.3 inadvertently exercised power under Section 67(1) of the Karnataka Land Revenue Act. Accordingly, learned counsel sought for interference of this Court.

5. Per contra, Sri. Shamanth Naik, learned Additional Government Advocate submits that, no document has been produced by the petitioner as to how the grandmother of the petitioner acquired the subject land. Therefore, he sought for dismissal of the petition.

6. In the light of the submission made by learned appearing for the parties, on careful perusal of the letter dated

17th August, 2016 (Annexure-N) addressed by the respondent No.4-Tahsildar to the respondent No.2-Deputy Commissioner, it is forthcoming that the petitioner is claiming right over the subject land through her grandmother Lakshmamma as she died on 08th March, 1976. On careful perusal of the impugned order dated 01st October, 2024 (Annexure-A), makes it clear that the petitioner has not produced any material as to how the subject land was acquired by the grandmother of the petitioner so also, the portion of the subject land in which the petitioner is claiming right, the Government School exists. Therefore, I am of the view that, no interference be called for in this petition. Accordingly, reserving liberty to the petitioner to establish her right over the subject land, writ petition is ***dismissed.***

SD/-
(E.S. INDIRESH)
JUDGE

ARK
List No.: 1 Sl No.: 33