



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

WRIT PETITION NO. 2133 OF 2023 (GM-POLICE)

BETWEEN:

SMT. GANGAMMA
W/O LATE GALAPPA
AGED 71 YEARS
R/AT 223, HEROHALLI
VISHWANEDAM POST
MAGADI MAIN ROAD
BANGALORE-91.

...PETITIONER

(BY SRI. SHIVARAMU H.C., ADVOCATE)

AND:

1. THE DEPARTMENT OF HOME AFFAIRS
STATE OF KARNATAKA
VIDHANA SOUDHA
BANGALORE-560001
REP.BY ITS SECRETARY.
2. THE DEPUTY SUPERINTENDENT OF POLICE
DISTRICT ARMED RESERVED FORCE
NO.5, MILLERS ROAD,
BANGALORE - 560001.
3. THE COMMISSIONER OF POLICE
BANGALORE CITY
INFANTRY ROAD
BANGALORE - 560001.





4. THE STATION HOUSE OFFICER
BYADARAHALLI POLICE STATION
MAGADI MAIN ROAD
BANGALORE - 560091.

...RESPONDENTS

(BY SMT. B.P.RADHA, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE WRIT OF MANDAMUS/DIRECTION AGAINST THE RESPONDENTS POLICE AUTHORITY NOT TO CAUSE ANY HIGH HANDED ACT BY USING POLICE POWER TO THE PETITIONER AND HER FAMILY MEMBERS CONSEQUENTLY DIRECT THE RESPONDENT NO.2 TO 4 TO CONSIDER THE PETITIONER REPRESENTATION DATED 11/10/2021 AT ANNEXURE-N AND ETC.

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

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

The petitioner claiming to be the absolute owner of land bearing Sy.No.45 old No.3, measuring 3 acres situated at Hosahalli-Golarapalya village, Yeshwantpura Hobli, Bengaluru is before this Court seeking following reliefs:

"a. To issue writ of mandamus/direction against the respondents police authority not to cause any high handed act by using police power to the petitioner and her family members consequently direct the respondent No.2 to 4 to consider the petitioner representation dated 11-10-2021 at ANNEXURE-N.



b. To grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the facts and circumstances of the above case."

2. It is contended that there was certain dispute between the petitioner and the District Armed Reserved Police with regard to certain extent of land in the very same survey Number which resulted in petitioner filing Writ Petition in W.P.No.57847/2016, which was allowed by order dated 16.03.2017 upholding the contention of the petitioner. The said order was carried by the respondent - State in W.A.No.5648/2017 which was dismissed as against which an appeal was preferred before the Hon'ble Apex Court, which was also dismissed. Despite the same, respondent No.3 who is making use of portion of the land for training purposes is causing obstruction in petitioner having access and enjoying her property. Hence, the above petition.

3. Today, Sri.Chandrakanth M.V., Superintendent of Police, Bengaluru District is personally present, who is arrayed as respondent No.2. He has instructed learned



AGA personally that there has been no obstruction of any nature whatsoever to the petitioner's ingress and egress to her property in Sy.No.45.

4. It is submitted that the portion, which the petitioner is entitled to, was earlier in the possession of the respondent-Department and, in the light of the order dated 25.08.2016 passed in W.P.No.57847/2016, which was confirmed by the Division Bench of this Court in W.A.No.5648/2017 and further confirmed by the Apex Court, they have vacated the said portion and the structure which existed thereon has fallen within the land being claimed by the petitioner.

5. It is further submitted that when the said land was in their possession they had grown certain trees and, if they are permitted to cut and take away the wood with the permission of the Forest Department, they would not have any further claim of any nature whatsoever.



6. Learned counsel for the petitioner submits that the petitioner have no objection to the respondent Department cutting and taking away the trees grown by them on the property.

7. Submissions as above is placed on record.

8. The respondent No.2 shall obtain prior permission of the Forest Department, identify the trees which are stated to have been grown by them and only thereafter they should fell the trees and take the timber away as submitted.

9. Three months time is granted for the purpose of cutting and taking the tree, as directed above.

10. The petitioner would be entitled to enclose her land by putting up compound wall or the fence as the case may be after the respondent-Department felling and taking away the trees/timber grown on the property as directed above.



11. An affidavit of compliance in this regard shall be filed by respondent No.2 within two days from today before the Registry by serving the copy on the other side.

12. With the above, nothing further remains for consideration in this petition. Accordingly, the petition is ***disposed of.***

**Sd/-
(M.G.S. KAMAL)
JUDGE**

GSR
List No.: 1 Sl No.: 12