



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 4402 OF 2026 (KLR-RES)

BETWEEN:

SRI K RAMASWAMY
S/O KAMALA NAIK,
AGED ABOUT 64 YEARS,
MADAKARIPURA VILLAGE AND POST,
KASABA HOBLI,
CHITRADURGA DISTRICT 577 501

...PETITIONER

(BY SRI. SOMASHEKHARAIH.R.P., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPT BY ITS SECRETARY,
REVENUE DEPARTMENT,
M S BUILDING,
BENGALURU 560001
2. THE DEPUTY COMMISSIONER
CHITRADURGA DISTRICT
CHITRADURGA 577 501
3. THE ASSISTANT COMMISSIONER
CHITRADURGA SUB DIVISION,
CHITRADURGA 577 501
4. THE TAHASILDAR
CHITRADURGA TALUK,
CHITRADURGA 577 501
5. THE LAND GRANT COMMITTEE





CHITRADURGA TALUK,
CHITRADURGA 577 501
REP BY TAHASILDAR

6. THE COMMISSIONER
CITY MUNICIPAL COUNCIL,
CHITRADURGA 577 501

...RESPONDENTS

(BY SRI. K.P. YOGANNA, AGA FOR R1 TO R5)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE 4TH RESPONDENT TO ISSUE SAGUVALI CHIT IN FAVOUR OF THE PETITIONER IN RESPECT OF LAND BEARING SY. NO. 8 MEASURING 2 ACRE 10 GUNTAS SITUATED AT MADAKARI VILLAGE, KASABA HOBLI, CHITRADURGA AS PER THE ORDER PASSED BY THE 5TH RESPONDENT DATED 15-07-1993 UNDER ANNEXURE-B FOLLOWED BY THE RECOMMENDATION MADE BY THE 2ND RESPONDENT TO THE 3RD RESPONDENT PURSUANT TO THE LETTER ADDRESSED BY THE 6TH RESPONDENT DATED 28-02-2025 UNDER ANNEXURE-K AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

Learned AGA takes notice for respondent Nos.1 to 5.

Notice to respondent No.6 is not necessary, for the following reasons:

The grievance of the petitioner is that despite an order being passed by the Assistant Commissioner at



Annexure-"M" dated 11.09.2025 allowing the appeal filed by the petitioner and remanding the matter back to the Committee for Regularisation of Unauthorised Occupation to reconsider the question as to whether the land in question is within the prohibited distance from the boundary of the Town Municipal Council, Chithradurga, having regard to the date of the application, that is, in the year 1991 and the geographical boundary of the Municipality, no orders are passed by the Committee.

2. Consequently, the writ petition stands disposed of with a specific direction to respondent No.4 - Tahsildar, Chitradurga Taluk, to place the application of the petitioner before the Committee for Regularisation of Unauthorised Occupation for reconsideration in terms of the directions issued by the Assistant Commissioner at Annexure-"M", within a period of six (6) weeks from the date of receipt of a copy of this order.

3. The Committee shall take up the application and pass necessary orders within a period of two (2)



months from the date on which the application would be placed by the Tahsildar before the Committee.

4. This Court, in the case of **ASHWATHAPPA V. STATE OF KARNATAKA AND OTHERS IN WP NO. 2411 OF 2022** disposed of on 18.02.2022 has held that the distance between the lands in question, lands for which applications have been filed for regularisation, have to be measured having regard to the geographical boundary of the local authority as on the date of the application and not when the application is taken up for consideration. The Committee shall bear in mind the law laid down by this Court, while reconsidering the application filed by the petitioner.

5. Petition is disposed of accordingly.

Sd/-
(R DEVDAS)
JUDGE

KS