



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 4101 OF 2026 (KLR-RR/SUR)

BETWEEN:

SRI. GOVINDARAJU K M
S/O LATE MUNISHAMAPPA@MUNISHAMAIHAH
AGED ABOUT 39 YEARS,
R/A KAMAKSHIPURA VILLAGE,
HESARAGHATTA HOBLI,
BANGALORE NORTH TALUK-560089.

...PETITIONER

(BY SRI. SURESH K., ADVOCATE)

AND:

1. PRINCIPAL SECRETARY
REVENUE DEPARTMENT
GOVERNMENT OF KARNATAKA
BENGALURU 560001.
2. THE DEPUTY COMMISSIONER
BANGALORE URBAN DISTRICT,
KEMPEGOWDA ROAD
BANGALORE - 560009.
3. ASSISTANT COMMISSIONER
BANGALORE NORTH SUB DIVISION,
KEMPEGOWDA ROAD
BANGALORE-560009.
4. TAHSILDAR
YELANKHA TALUK.
MINI VIDHANA SOUDHA,
BANGALORE 560064.





5. DEPUTY THASILDHAR
YELANKHA TALUK,
MINI VIDHANA SOUDHA,
BANGALORE 560064.
6. REVENUE INSPECTOR
HESARGHATTA HOBLI,
RAJANKUNTE - 560064

...RESPONDENTS

(BY SMT.NAVYA SHEKHAR., AGA)

THIS WRIT PETITION 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 FOR AGRICULTURAL LAND MEASURING TO AN EXTENT OF 1 ACRE 20 GUNTAS IN SY NO.1, SITUATED AT KAMAKSHIPURA VILLAGE, HESERGHATTA HOBLI, YELAHANKA TALUK (PREVIOUSLY BANGALORE NORTH TALUK), BANGALORE, DATED 16/01/2026 AND 03/02/2026 VIDE ANNEXURE-A AND B AND ETC.

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

It is the contention of the petitioner that the petitioner's father-Late Munishamaiah @ Munishamappa filed an Application in Form No.50 on 03.09.1991 seeking regularization of unauthorized occupation of 1 Acre and 20 Guntas of land in Survey No.1 of Kamakshipura village, Hesaraghatta Hobli, Yalahanka Taluk. However, the



Committee for Regularization of Unauthorized Occupation has passed the impugned resolution/order dated 15.01.2013, rejecting the Application on the ground that the land in question is situated within the prohibited distance of 18 k.m., from the boundary of the Bruhath Bengaluru Mahanagara Palike (BBMP). The learned Counsel would further submit that the application was filed in the year 1991 and at that point of time the land in question was not within the prohibited distance of 18 k.m., from the boundary of the BBMP.

2. Learned Counsel for the petitioner further submits that this Court has held in several such cases, including the case of ***Sri.Ravikumar and Another Vs. The State of Karnataka and Others***, in ***W.P.No.237/2022 dated 17.01.2024***, as to the manner in which the distance has to be measured. The learned counsel prays for similar orders.



3. This Court has held, having regard to the earlier decisions in the case of **Sri.Ravikumar and Another** (*supra*), as follows:

*"5. Having heard the learned counsel for the petitioners, learned High Court Government Pleader for the respondent-State and the Revenue Authorities and on perusing the petition papers, this Court is of the considered opinion that the law as to the consideration of the distance having regard to the date of the application has been settled by this Court. Therefore, all that is required to be done now at the hands of the respondent - Tahsildar is to find out the distance between the land in question and the boundary of Bangalore Mahanagara Palike as on the date of the application. Learned counsel had submitted during the course of the arguments that it appears that the boundaries of then Bangalore Mahanagara Palike were extended in the year 2007 by a notification. If that is the truth, then the Tahsildar is required to re-ascertain regarding the distance between the land in question and boundary of the Bangalore Mahanagara Palike as it was prior to 2007, if such a notification was issued and the boundaries of Bangalore Mahanagara Palike were extended in the year 2007. At any rate in terms of the law laid down by this Court in the case of **Sri.Ashwathappa and others Vs. The State of Karnataka and others, in W.P.No.2411/2022 dated 18.02.2022**, the distance has to be*



measured as per the geographical jurisdiction of local body as it was on the date of the application filed by the petitioners.

6. For that purpose, the writ petition is partly allowed while setting aside the impugned order dated 07.03.2018 passed by the Assistant Commissioner and all other earlier orders passed by the Tahsildar. The matter stands remanded to the Tahsildar, Hosakote with a specific direction that he shall decide as to what was the distance between the land in question and the boundary of then Bangalore Mahanagara Palike as it was as on the date of application i.e., in the year 1998. If it is clear that the land in question was not within the prohibited distance having regard to the boundaries of then Bangalore Mahanagara Palike, then the Tahsildar shall immediately proceed to issue Saguvali Chit in favour of the petitioners. The entire exercise shall be completed as expeditiously as possible at any rate within a period of two months from the date of receipt of copy of this order."

4. Consequently, the writ petition stands ***disposed of.*** The impugned resolution/order dated 15.01.2013 at Annexure-D passed by the Committee for Regularization of Unauthorized Occupation is hereby quashed and set aside. The matter stands remanded back to the 4th respondent-Tahsildar, Yalahanka Taluk with a specific direction that he



shall decide as to what was the distance between the land in question and the boundary of the then Bangalore Mahanagara Palike (BMP) or Bruhath Bengaluru Mahanagara Palike (BBMP) as it was as on the date of application i.e., 03.09.1991. If it is clear that the land in question was not within the prohibited distance having regard to the boundaries of the then Bangalore Mahanagara Palike (BMP), then the Tahsildar shall place the report and application filed by the petitioner's father in Form No.50 before the Deputy Commissioner, Bengaluru Urban District, who is the competent authority to consider the application in respect of properties falling within the jurisdiction of Bangalore Urban District, within a period of two months from the date of receipt of a copy of this order. Thereafter, the Deputy Commissioner shall pass necessary orders on the application as expeditiously as possible and at any rate within a period of two months from the date when the application would be placed before the Deputy Commissioner.



5. It is made clear that the application shall not be rejected on the ground that the property is situated within the prohibited distance, having regard to the fact that the application was filed in the year 1991. The Deputy Commissioner shall follow the law laid down by this Court in the case of **Ashwathappa & Ors. Vs. State of Karnataka & Ors** in W.P.No.2411/2022 dated 18.02.2022.

6. Needless to observe that the possession of the petitioner shall not be disturbed till a decision is again taken by the competent authority.

**Sd/-
(R DEVDAS)
JUDGE**

DL
CT: JL