



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 5303 OF 2026 (KLR-RES)

BETWEEN:

1. SRI. CHINNAPPA
S/O LATE BOLAPPA,
AGED ABOUT 60 YEARS,
2. SRI. GIDDAPPA
S/O LATE BOLAPPA,
AGED ABOUT 57 YEARS,
3. SRI. RAJAPPA,
S/O LATE BOLAPPA,
AGED ABOUT 55 YEARS,
4. SRI. KRISHNAPPA,
S/O LATE BOLAPPA,
AGED ABOUT 50 YEARS,
5. SRI. NANJAPPA,
S/O LATE GIDDAPPA,
AGED ABOUT 82 YEARS,
(SENIOR CITIZENSHIP NOT CLAIMED)



ALL ARE RESIDING AT
KOTHA JEEGURU VILLAGE,
DANKANIKOTE TALUK,



KRISHNAGIRI DISTRICT,
TAMILNADU – 635 107.

...PETITIONERS

(BY SRI. G.A. SRIKANTE GOWDA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
REVENUE DEPARTMENT,
MULTI-STORED BUILDING,
DR. AMBEDKAR VEEDHI,
BANGALORE - 560 001.
2. THE ASSISTANT COMMISSIONER,
BANGALORE SOUTH SUB-DIVISION,
BANGALORE - 560 001.
3. THE TAHASILDAR,
ANEKAL TALUK,
ANEKAL – 562 106.
4. SRI. CHIKKA ALLALLAPPA @ ALLALLAPPA
S/O LATE YALLAPPA,
AGED ABOUT 76 YEARS,
R/A AT S. MADIWALA VILLAGE,
SAMANDURU VILLAGE,
ANEKAL TALUK,
BENGALURU – 562 106.
5. SMT. MUNIRATHNAMMA
D/O LATE ALLALAPPA,
AGED ABOUT 50 YEARS,
R/A SHIVARA PATNA VILLAGE



AND POST, MALURU TALUK,
KOLARA – 563 130.

...RESPONDENTS

(BY SMT. NAVYA SHEKHAR, AGA FOR R1 TO R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALLING FOR THE RECORDS AND PROCEEDS OF THE CASE THIS HONBLE COURT BE PLEASED EXERCISE ITS JURISDICTION UNDER ARTICLE 226 AND 227 OF CONSTITUTION OF INDIA.

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

CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

Learned Additional Government Advocate takes notice for respondent Nos.1 to 3. Notice to respondent Nos.4 and 5 is not necessary for the following reasons.

2. Learned Additional Government Advocate raises a preliminary objection that the order impugned is passed by the Assistant Commissioner, Bangalore South Sub-Division, under Section 136(2) of the Karnataka Land Revenue Act, 1964 (for short, 'the Act'), and the said order can be questioned before the Deputy Commissioner under Section 136(3) of the Act.



Learned counsel for the petitioners seeks to contend that the matter was in fact remanded at the hands of this Court in W.P.No.9976/2025 by order dated 09.04.2025, with a direction to the Assistant Commissioner to consider the question of delay, having regard to the application filed by the petitioners under Section 5 of the Limitation Act, 1963 and thereafter, proceed to consider the matter on merits. Learned counsel submits that the Assistant Commissioner has not followed the directions issued by this Court and therefore the petitioners are before this Court.

3. Having heard the learned counsel for the petitioners, learned Additional Government Advocate and on perusing the petition papers, this Court is of the considered opinion that if for any reason the petitioner is aggrieved of the fact that the Assistant Commissioner has not followed the directions issued by this Court, nevertheless, it would be a ground to challenge the order before the Deputy Commissioner and the petitioners cannot maintain this writ petition.



4. Accordingly, the writ petition stands disposed of reserving liberty to the petitioners to approach the Deputy Commissioner under Section 136(3) of the Act.

Ordered accordingly.

Learned Additional Government Advocate is permitted to file memo of appearance within a period of four weeks from today.

Sd/-
(R DEVDAS)
JUDGE

rv
List No.: 1 Sl No.: 7