



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF OCTOBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE RAJESH RAI K

WRIT PETITION NO. 6211 OF 2025 (KLGP)

BETWEEN:

1. SMT MUNITHAYAMMA
W/O. LATE. BEERAPPA,
AGED ABOUT 65 YEARS,
2. SRI. MANJUANATH
S/O LATE BEERAPPAA
AGED ABOUT 38 YEARS
3. SRI. VENKATESH
S/O LATE BEERAPPA
AGED ABOUT 35 YEARS

PETITIONER NO.1 TO 3 ARE
RESIDING AT CHEEMASANDRA VILLAGE,
VIRGONAGAR POST, BIDARAHALLI HOBLI,
BENGALURU EAST TALUK,
BENGALURU-560 049.

...PETITIONERS

(BY SRI. PRABHUGOUDA B TUMBIGI, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF REVENUE

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



MS BUILDINGS, BENGALURU-560 001.

2. THE TAHSILDAR,
BENGALURU EAST TALUK,
K.R. PURAM, BENGALURU-560 036.
3. THE ASSISTANT DIRECTORS
OF LAND RECORDS,
BENGALURU EAST TALUK,
K.R. PURAM, BENGALURU-560 036.
4. SRI. MUNIRAMAIAH. B.C.
S/O. CHIKKANNA,
AGED ABOUT 77 YEARS,
R/AT BYRATHI VILLAGE,
BIDARAHALLI HOBLI,
BENGALURU EAST TALUK,
BENGALURU CITY - 560 049.
5. SRI. DEVARAJA. N
S/O. LATE. PATEL NANJAPPA,
AGED ABOUT 50 YEARS,
R/AT NO. 149,
CHEMASANDRA VILLAGE,
VIRGONAGAR POST,
BANGALORE EAST TALUK,
BENGALURU-560 049.
6. SRI. MUNIKUMAR
S/O. LATE. BEERAPPA,
AGED ABOUT 40 YEARS,
7. SMT HEMAVATHI
D/O LATE BEERAPPA
AGED ABOUT 33 YEARS
8. MUNIRATHNA
S/O LATE BEERAPPA
AGED ABOUT 31 YEARS
9. SMT RENUKAMMA



W/O KRISHNAMURTHY
AGED ABOUT 65 YEARS

RESPONDENT NOS. 6 TO 9 ARE
RESIDING AT CHEEMASANDRA VILLAGE,
VIRGONAGAR POST,
BIDARAHALLI HOBLI,
BENGALURU EAST TALUK,
BENGALURU-560 049.

...RESPONDENTS

(BY SRI. G.R. ARUNA, AGA FOR R1 TO R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN
THE NATURE OF CERTIORARI AND QUASH THE PROCEEDINGS
AT ANNEXURE-G, IN LGC (P) 1294/2018, PENDING AT
ANNEXURE-G IN LGC (P) 1294/2018, PENDING ON THE FILE OF
SPECIAL COURT OF LAND GRABBING, 3RD FLOOR, KANDAYA
BHAVAN, K.G. ROAD, BENGALURU IN FOR THE OFFENCE
PUNISHABLE UNDER SECTION 4(3) KARNATAKA LAND
GRABBING PROHIBITION ACT, 2011 REGISTERED AGAINST
THE PETITIONERS.

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

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE RAJESH RAI K



ORAL ORDER

(PER: HON'BLE MR. JUSTICE RAJESH RAI K)

In this writ petition, the petitioners assailed the proceedings in L.G.C.(P) No.1294/2018 pending before the Karnataka Land Grabbing (Prohibition) Special Court, Bangalore (hereinafter referred to as 'the Land Grabbing Court').

2. The factual matrix of the case is that a complaint has been filed by one Muniramaiah S/o. Chikkanna before the Land Grabbing Court alleging that encroaching some extent of area in 38 guntas of Rajakaluve in Sy.No.43/2 of Cheemasandra Villalge, Bidarahalli Hobli, Bangalore East Taluk, respondent Nos.1 to 8 i.e., the petitioners have constructed a house. Despite informing the same to the Tahsildar, no action has been taken. Hence, along with the documents, a complaint has been filed before the Land Grabbing Court.

3. The Land Grabbing Court, after taking cognizance of the offence, issued a notice to the Assistant Commissioner, Bangalore North Sub-Division, calling for the report in respect of encroachment. Pursuant to the said order, the Assistant Commissioner, Bangalore North Sub-Division has submitted a



report on 05.03.2020 stating that respondent Nos.1 to 8 have jointly encroached an area of 0-01.12 guntas of Storm Water Drain area. Further, as per the report, the complainant before the Land Grabbing Court has also encroached an area of 0.00.12 guntas and another person by name Parvathamma has also encroached an area of 0.00.08 guntas of Storm Water Drain area.

4. Aggrieved by the said report and the proceedings, the petitioners i.e., respondent Nos.2, 4 and 5 before the Land Grabbing Court are before this Court in this Writ Petition.

5. We have heard the learned counsel for the petitioners and the learned Additional Government Advocate for the respondents.

6. The primary contention of the learned counsel for the petitioners is that at no point of time, the petitioners have encroached the area of rajakaluve or the land as stated by the Assistant Commissioner, Bangalore North Taluk in his report. On the other hand, the said land is an ancestral property of the petitioners and they have a valid title over the said land. He



also contended that no notice was issued to the petitioners by the Assistant Commissioner while preparing the report/sketch. In such circumstance, the proceedings are liable to be dropped.

7. *Per contra*, the said prayer is opposed by the learned Additional Government Advocate and he contends that the report of the Assistant Commissioner, Bangalore North Taluk clearly depicts that there is an encroachment of area of rajakaluve, which has to be determined in the trial before the Land Grabbing Court. Accordingly, he prays to dismiss the Writ Petition.

8. We have carefully perused the proceedings of the Land Grabbing Court so also the report of the Assistant Commissioner, Bangalore North Taluk.

9. On careful consideration, as rightly contended by the learned Additional Government Advocate, the report clearly discloses the encroachment and that the contention of the learned counsel for the petitioners that the said land was the ancestral property of the petitioners and that the petitioners have not encroached the rajakaluve area has to be proved in a



detailed trial before the Land Grabbing Court. Such being the position, we cannot interfere with the proceedings at this stage. However, we make it clear that the petitioners are at liberty to place all the documents, evidence and urge their contentions before the Land Grabbing Court.

10. Accordingly, the Writ Petition is ***disposed of***.

**SD/-
(D K SINGH)
JUDGE**

**SD/-
(RAJESH RAI K)
JUDGE**

HKV
List No.: 1 SI No.: 24