



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 6413 OF 2026 (KLR-RES)

BETWEEN:

SRI. SURESH. H. N.
S/O. LATE. NANJUNDAPPA
AGED ABOUT 54 YEARS,
R/AT. HONNENAHALLI VILLAGE
N. HOSAHALLI POST,
NITTUR HOBLI, GUBBI TALUK,
TUMAKURU TALUK & DISTRICT-572 211.

...PETITIONER

(BY SRI. SIDDARAMAIAH V B., ADVOCATE)

AND:



1. THE STATE OF KARNATAKA
DEPARTMENT OF REVENUE
M.S. BUILDING,
DR. AMBEDKAR VEEDHI
BENGALURU 560 001.
REP. BY ITS PRINCIPAL SECRETARY
2. THE DEPUTY COMMISSIONER,
TUMAKURU DISTRICT,
MINI VIDHANA SOUDHA,
DR. B.R. AMBEDKAR ROAD,
TUMAKURU-572 101.



3. THE ASSISTANT COMMISSIONER,
TUMAKURU SUB-DIVISION,
MINI VIDHANA SOUDHA,
DR. B.R. AMBEDKAR ROAD,
TUMAKURU-572 101
4. THE TAHASILDAR,
GUBBI TALUK,
RAILWAY STATION ROAD
GUBBI, TUMAKURU DISTRICT-572216.
5. SRI. NARAYANASWAMY
S/O. LATE. NARASIMHAIAH
AGED ABOUT 55 YEARS
6. SRI. JAGADEESHA
S/O. LATE. NARASIMHAIAH
AGED ABOUT 53 YEARS
7. SRI. RAMANNA
S/O. LATE. NARASIMHAIAH
AGED ABOUT 45 YEARS
8. SMT. GIRIYAMMA
W/O. LATE. NARASIMHAIAH
AGED ABOUT 85 YEARS
RESPONDENT NO.5 TO 8 ARE
R/AT. MUSKONDLI VILLAGE,
KONDLI POST,
NITTUR HOBLI, GUBBI TALUK,
TUMAKURU DISTRICT - 572 211.

...RESPONDENTS

(BY SMT.NAVYA SHEKHAR., AGA)



THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE COMMUNICATION DATED 20.08.2025 BEARING NO.LAC3695-3719/1978-79 ISSUED BY THE ASSISTANT COMMISSIONER, TUMAKURU SUB-DIVISION, MINI VIDHANA SOUDHA, TUMAKURU FORWARDED TO THE DEPUTY COMMISSIONER, TUMAKURU DISTRICT, MINI VIDHANA SOUDHA, TUMAKURU, WHICH RELATES TO HAND OVER SY. NO.81/1 OF MUSKONDLI VILLAGE, GUBBI TALUK, TUMAKURU DISTRICT, MEASURING 19 GUNTAS TO BELLAKKAYYA AT CHIKKATHIMMAIAH AND NARASIAH (ALSO CALLED AS NARASIMHAIAH) AT SL. NO.14, VIDE ANNEXURE F 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 Additional Government Advocate takes notice for respondents No. 1 to 4. Notice to the other respondents is not necessary for the following reasons:

The petitioner is aggrieved of the impugned communication dated 28.02.2025 at Annexure-F made by the respondent-Assistant Commissioner, Tumakuru Sub-Division to the Deputy Commissioner, Tumakuru District, recommending further action to restore the names of the owners of the property in the revenue records pursuant to



the Heidelberg Cement Company giving up the leasehold rights on the lands in question which was notified and leasehold rights were acquired by the company for the purpose of establishing a ropeway and pipeline. Learned Counsel for the petitioner submits that the Assistant Commissioner could not have recommended restoration of the name of the petitioner's vendor in the revenue records, since the competent Civil Court has decided the title dispute between the petitioners and their vendors in O.S.No.190/2000 and O.S.No.224/2003, on the file of the learned Civil Judge & JFMC at Gubbi, where the suit filed by the vendors of the petitioners herein in O.S.No.190/2000 was dismissed and the suit filed by the petitioners herein in O.S.No.224/2003 was decreed and a permanent injunction is granted in favour of the plaintiff in O.S.No.224/2003 restraining the defendants(the previous owners and the vendors) from interfering with the peaceful possession of the suit schedule property.



2. Learned Additional Government Advocate however submits that the writ petition is premature. The petitioner cannot challenge an internal communication made by the Assistant Commissioner to the Deputy Commissioner.

3. Having heard the learned Counsel for petitioner, the learned Additional Government Advocate and on perusing the petition papers, this Court is of the considered opinion that the petitioners should give a proper representation or file objections before the Deputy Commissioner, having regard to the impugned communication made by the Assistant Commissioner, the Deputy Commissioner shall consider such a representation given by the petitioners at Annexure-H dated 09.10.2024 and any other additional objection that could be filed by the petitioners, afford opportunity of hearing to all concerned, including the defendants in O.S.No.224/2003 against whom an order of a decree of permanent injunction is granted by the Civil Court. A decision shall be taken by the Deputy Commissioner after issuing notice to



all concerned to enter the name of the title holder in the revenue records.

4. With these observations, the writ petition stands ***disposed of.***

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

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

DL
CT: JL