



HC-KAR

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NC: 2026:KHC:16273
WP No. 7627 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

WRIT PETITION NO.7627 OF 2026 (LB-RES)

BETWEEN:

1. SRI. DINESH B.V.
S/O LATE C.V. VENKATARAMANAIH
AGED ABOUT 52 YEARS
R/AT NO.1900, 4TH MAIN ROAD,
11TH CROSS, RPC LAYOUT,
VIJAYANAGARA 2ND STAGE,
NEAR NEW CAMBRIDGE HIGH SCHOOL,
BENGALURU - 560 104.

...PETITIONER

(BY SRI. SARAVANA S., ADVOCATE)

AND:

1. THE STATE GOVERNMENT OF KARNATAKA
BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF PANCHAYAT RAJ
M.S. BUILDING
BENGALURU - 560 001.
2. THE DEPUTY COMMISSIONER
RAMANAGARA DISTRICT
RAMANAGARA-562 159.
3. THE ASSISTANT COMMISSIONER
RAMANAGARA SUB-DIVISION
RAMANAGARA-562 159.





4. THE TAHSILDAR
MAGADI TALUK, MAGADI,
RAMANAGARA-562 159.
5. AGALAKOTTE GRAMA PANCHAYATH
MALENAHALLI, MADBAL HOBLI
MAGADI TALUK
RAMANAGARA-562 159.

...RESPONDENTS

(BY SRI. BOPANNA BELLIAPPA, AGA., FOR R.1 TO R.4;
SRI. M.S. DEVARAJU, ADVOCATE FOR R.5.)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, CALLING FOR THE RECORDS OF THE 5TH RESPONDENT RELATING TO THE RESOLUTIONS PASSED OR ACTION OF ANY KIND REGARDING THE SCHEDULE PROPERTY AS PER ANNEXURE-E THE PROPOSED SKETCH AND QUASH THE SAME AS ILLEGAL, ARBITRARY AND UNCONSTITUTIONAL, ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING THROUGH PHYSICAL HEARING/VIDEO CONFERENCING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.I.ARUN



ORAL ORDER

1. The case of the petitioner is that he owns 2 acres 4 guntas of land in Survey No.30/1, Khata No.25, Mallenahalli Village, Madbal Hobli, Magadi Taluk, Ramanagara District. His contention is that respondent no.5 is involved in creation of a sub-village, for which the property of the petitioner is sought to be utilized without following due process of law and without acquiring the same in the manner known to law. Hence, the writ petition is filed with the following prayers:

- "(a) Issue a writ of certiorari or any other appropriate writ, order or direction, calling for the records of the 5th Respondent relating to the resolutions passed or action of any kind regarding the Schedule Property as per Annexure-E the proposed sketch and quash the same as illegal, arbitrary and unconstitutional, and
- (b) Grant such other order or direction as this Hon'ble Court deems fit in the interest of justice and equity."



2. Learned counsel for respondent no.5, upon instructions, submits that they are not aware as to the extent of land of the petitioner. However, he submits that any activities undertaken by respondent No.5 will be carried out utilizing the property of respondent No.5 or the State. If there is a requirement for the property of any third party, then the same will be utilized only in the manner known to law after due acquisition and not otherwise. Hence, he prays for dismissal of the writ petition.

3. No person can be deprived of his right to property without following the due process of law. If the State were to utilize the private property of any individual, it needs to acquire the same in the manner known to law and after paying him the just compensation and not otherwise. If there is a dispute regarding the ownership of the property between the petitioner and the respondents, this Court in exercise of its powers under Article 226 of the Constitution of India cannot enquire into it and it is for the



aggrieved person to approach the Civil Court in the manner known to law.

4. For the aforementioned reasons, the writ petition stands disposed of with a direction to the respondents to utilise the property of the petitioner only in the manner known to law and not otherwise. It is hereby clarified that no finding is given in respect of 2 acres 4 guntas of land mentioned in the writ petition insofar as it relates to ownership of the said property is concerned.

**Sd/-
(M.I.ARUN)
JUDGE**

hkh.

List No.: 1 Sl No.: 5