



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE R DEVDAS

WRIT PETITION NO. 8646 OF 2026 (LR)

BETWEEN:

SMT. BORAMMA
W/O. MANJUNATH
AGED ABOUT 48 YEARS,
OCCUPATION: AGRICULTURIST
R/AT. NO:1137/7, MILK CENTER ROAD,
VIDYARANAPURAM, K.R MOHALLA,
MYSORE-570 004.

...PETITIONER

(BY SRI. UMESH B. N., ADVOCATE)

AND:

1. THE ASSISTANT COMMISSIONER
MYSORE SUB DIVISION,
MYSORE-570 001.

2. THE THASILDAR,
MYSORE TALUK,
MYSORE-570 001.

...RESPONDENTS

(BY SRI. V SESHU., HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER PASSED BY THE 1ST RESPONDENT/ASSISTANT COMMISSIONER, IN CASE NO:LRF.79(A) AND (B) 360/2012-13, DATED 16/07/2014 VIDE AT ANNEXURE-A.





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 High Court Government Pleader notice for the respondents.

2. This writ petition was filed by the petitioner being aggrieved of the order dated 16.07.2014 passed by the 1st respondent – Assistant Commissioner in LRF:79(A) & (B) 360/2012-13 in terms of Sections 79A and B of the Karnataka Land Reforms Act, 1961.

3. Learned Counsel for the petitioner submits that this is a case where the impugned order of forfeiture has been passed by the Assistant Commissioner without notice to the petitioner. It is further submitted that under similar circumstances, a co-ordinate Bench of this Court in W.P.No.7821/2021 has passed an order dated 16.08.2021 remanding the matter back to the Assistant Commissioner



for fresh consideration after affording an opportunity of hearing to the aggrieved person.

4. Learned Additional Government Advocate points out from the impugned order that notice was indeed issued to the petitioner and in spite of notice having been issued, the petitioner did not appear before the Assistant Commissioner.

5. Admittedly, as on the date of the Karnataka Land Reforms (Second Amendment) Act, 2020, no proceedings were pending before any court/authority.

6. This Court had several occasions to consider such cases, where writ petitions are filed long after the provisions contained in Sections 79A, 79B and 79C were omitted from the statute book in terms of the Karnataka Land Reforms (Second Amendment) Act, 2020. It is the consistent opinion of this Court that if at any rate, the Assistant Commissioner, after forfeiting the land has not disposed of the same in accordance with law then the



benefit of the saving clause contained in Section 12 of the Amending Act is required to be given to such petitioners. The Assistant Commissioner is therefore, required to ascertain, whether the declared excess lands or forfeited lands still remain with the State Government or has been granted to third parties. If the lands have been granted to third party, then sub-section(1) of Section 12 of the amending Act will apply to say that the proceedings have reached finality. Or otherwise, sub-section (2) of Section 12 of the Amending Act will apply and all further proceedings shall be declared as abated by the Assistant Commissioner.

7. Having considered the submission of the learned Counsels and on perusing the judgment of the co-ordinate Bench in W.P.No.7821/2021, this Court finds that facts and circumstances in both these matters are quite similar and therefore, the benefit of the decision of the co-ordinate bench should also enure to the petitioner herein.



8. Accordingly, this Court proceeds to pass the following:

ORDER

- i) The writ petition is ***disposed of***.
- ii) The matter is remanded back to the respondent-Assistant Commissioner to consider the case of the petitioner including the consequences of the subsequent amendment brought to the provisions of Sections 79A and 79B of the Karnataka Land Reforms Act, 1961 in Karnataka (Second Amendment) Act No.56 of 2020.
- iii) If revenue entries have been altered pursuant to the impugned order dated 16.07.2014, the same shall be restored in favour of the petitioner.
- iv) The petitioner shall appear before the respondent-Assistant Commissioner on



**NC: 2026:KHC:17471
WP No. 8646 of 2026**

15th April, 2026, without waiting for further notice from the Assistant Commissioner.

Ordered accordingly.

9. Learned High Court Government Pleader is permitted to file his memo of appearance within a period of four weeks from today.

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

KLY
List No.: 1 SI No.: 37