



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. 16962 OF 2024 (LR)

BETWEEN:

SRI MANNEMALA RAVICHANDRA REDDY
S/O DAYAKAR REDDY,
AGED ABOUT 65 YEARS,
R/A SHANTHINAGAR,
DURA META, NELLUR,
ANDHRA PRADESH - 524004.
REP. BY GPA HOLDER
SRI N KRISHNAPPA,
S/O NANJAPPA,
AGED ABOUT 50 YEARS,
R/A NO. 505/14, 1ST MAIN, 1ST CROSS,
SAMRAT LAYOUT, B G ROAD,
AREKERE, BENGALURU - 560 076.

...PETITIONER

(BY SRI. MARILINGE GOWDA., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY CHIEF SECRETARY,
REVENUE DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU - 560 001.
2. THE DEPUTY COMMISSIONER
BENGALURU SOUTH SUB DIVISION,
BENGALURU URBAN DISTRICT,
BENGALURU - 560 009.





3. THE ASSISTANT COMMISSIONER
BENGALURU SOUTH SUB DIVISION,
BENGALURU - 560 009.
4. THE TAHASILDAR
ANEKAL TALUK, ANEKAL,
BENGALURU DISTRICT - 562106.
5. M/S CONCEPT INFRA ESTATE PVT LTD
A COMPANY INCORPORATED UNDER THE
COMPANIES ACT, 1956
HAVING ITS OFFICE AT L S B HOUSE
PLOT NO. D3/1, F/F, LINE NO. 1,
BHAVANI KUNJ, NEAR DEEP PUBLIC SCHOOL,
VASANT KUNJ, NEW DELHI 110070,
REPRESENTED BY SRI B NAGARAJAPPA.
6. M/S SANCHYA LAND AND ESTATE PVT LTD
A COMPANY INCORPORATED UNDER THE
COMPANIES ACT, 1956
REPRESENTED BY DASTAGIR SHERIFF,
NO. 479, HMT LAYOUT, R T NAGAR,
NEAR R T NAGAR BUS DEPO,
BENGALURU - 560 032.

...RESPONDENTS

(BY SRI.V.SESHU., HCGP FOR R1 TO R4)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER DTD 10.06.2015, PASSED BY THE LEARNED ASSISTANT COMMISSIONER, BENGALURU SOUTH SUB-DIVISION, BENGALURU IN LRF (83) (AK) 09/2011-12 VIDE ANNEXURE-P INCLUDING THE AWARD OF COST AND GRANT AN INTERIM ORDER TO STAY, STAYING THE OPERATION OF THE ORDER DTD 10.06.2015, PASSED IN LRF (83) (AK) 09/2011-12 PASSED BY THE R3 THE ASSISTANT COMMISSIONER, BENGALURU SOUTH SUB-DIVISION, BENGALURU VIDE ANNEXURE-P AND ETC.

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



CORAM: HON'BLE MR. JUSTICE R DEVDAS

ORAL ORDER

Learned High Court Government Pleader takes notice for respondents No.1 to 4. Notice to other respondents is not necessary for the following reasons:

Earlier respondent No.6 had filed a writ petition No.7341/2022, questioning the very same impugned order dated 10.06.2015 passed by the respondent-Assistant Commissioner invoking the provisions of Section 83 of the Karnataka Land Reforms Act, 1961, for violation of the provisions contained in Section 79A and 79B of the Act. However, this Court by order dated 29.02.2024 held that only the person against whom an order passed by the Assistant Commissioner could question the same and therefore, disposed of the writ petition reserving liberty to the petitioner herein to raise a challenge to the impugned order. Accordingly, this writ petition has been filed by the petitioner challenging the impugned order dated 10.06.2015 at Annexure-P passed by the respondent-Assistant Commissioner.



2. 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.

3. Learned High Court Government Pleader 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.

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

5. 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.



6. Having considered the submissions 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.

7. 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 79-A and 79-B of the Karnataka Land Reforms Act in Karnataka Amendment No.56 of 2020.



- iii) If revenue entries have been altered pursuant to the impugned order dated 10.06.2015, the same shall be restored in favour of the petitioner.
- iv) The petitioner shall appear before the respondent-Assistant Commissioner on **18th March 2026**, without waiting for further notice from the Assistant Commissioner.

Ordered accordingly.

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

Sd/-
(R DEVDAS)
JUDGE

CT: JL
DL