



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

WRIT APPEAL NO.1149/2024 (KLR-RES)

C/W

CIVIL CONTEMPT PETITION NO.251/2024

IN W.A. No.1149/2024:

BETWEEN:

1. STATE OF KARNATAKA
DEPARTMENT OF REVENUE
BY ITS PRINCIPAL SECRETARY
VIDHANA SOUDHA
BANGALORE 560 001.
2. TAHASILDAR
YELAHANKA TALUK
YELAHANKA, BENGALURU 560 064.
3. DEPUTY TAHASILDAR
NADA KACHERI, BAGALURU JALA HOBLI
YELAHANKA TALUK
BENGALURU 562 149.
4. REVENUE INSPECTOR
NADA KACHERI, BAGALURU JALA HOBLI
YELAHANKA TALUK
BENGALURU 562 149.
5. VILLAGE ACCOUNTANT
NADA KACHERI, BAGALURU JALA HOBLI





YELAHANKA TALUK
BENGALURU 562 149.

...APPELLANTS

(BY SMT. PRAMODHINI KISHAN, AGA)

AND:

1. MR. K.V. PHANI BHUSHANA
S/O LATE K. VENKATACHALAIHAH
AGED ABOUT 73 YEARS
R/AT 1761, 22nd CROSS
HOMEOPATHY COLLEGE ROAD
GOVINDARAJ NAGAR, BANGALORE 560 040.
2. MR. K.N. SUBRAMANYA SWAMY
S/O K.M. NANJUNDAPPA
AGED ABOUT 61 YEARS
R/AT 3, 3rd BLOCK, H P NAGAR
BEML NAGAR POST, KGF 563 115.
3. MR. M. RAMAPPA
S/O LATE CHANNAPPA
AGED ABOUT 75 YEARS
R/AT RENUKA NILAY
AMARAVATHI LAYOUT
BANGARPET, KOLAR DISTRICT.
4. MR. P. PARTHIBAN
S/O PERYA SWAMY
AGED ABOUT 75 YARS
R/AT 859, DEEPSHANTH COTTAGE
ORAGAUMPET, KGF 563 121.
5. SMT. AKKAYAMMA
W/O LATE MUNIYAPPA A.V.
AGED ABOUT 61 YEARS
R/AT K -2, 3rd CROSS, 3rd MAIN
LAKSHMI NARAYANA PURA
BANGALORE 560 021.



6. MR. N. SHIVASHANKARACHARYA
S/O NARAYANACHARYA
AGED ABOUT 56 YEARS
R/AT B-231, OFFICERS QUARTERS
BEML NAGAR, KGF 563 115.
7. MR. G.N. NANJUNDA SETTY
S/O LATE NARAYAN SETTY G.B.
AGED ABOUT 70 YEARS
R/AT 95, 8th MAIN, 8th CROSS
BOGADI 2nd STAGE, MYSORE 571 001.
8. MR. A. SRINIVASA GOWDA
S/O M. APPAJAPPA
AGED ABOUT 78 YEARS
R/AT 11 BEML LAYOUT
BYREGOWDA NAGAR, KOLAR 563 101.
9. MR. C.S. PANEESHA
S/O SATHYA NARAYANA
AGED ABOUT 55 YEARS
R/AT B -126, BHARATH NAGAR
BEML NAGAR, KGF-563115.
10. MR. S.G. BALAKRISHNA
S/O S.R. GURURAJACHAR
AGED ABOUT 71 YEARS
R/AT 74, MODEL HOUSE, 3rd STREET
BASAVANAGUDI, BANGALORE 560 004.
11. MR. S.G. CHANDU
S/O S.R. GURRAJCHAR
AGED ABOUT 71 YEARS
R/AT 74, MODEL HOUSE, 3rd STREET
BASAVANAGUDI, BANGALORE 560 004.
12. SANDEEP SINGH
REVENUE INSPECTOR
YELAHANKA TALUK
YELAHANKA, BENGALURU - 560 064.



13. ANIL KUMAR AROLIKAR
TAHASILDAR, YELAHANKA
YELAHANKA, BENGALURU 560 064.

...RESPONDENTS

(BY SMT. B.V. VIDYULATHA, ADV.,)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1964, PRAYING TO SET ASIDE THE IMPUGNED ORDER DATED 11.10.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION No.22137/2023 (KLR-RES) AND CONSEQUENTLY, ALLOW THE PRESENT WRIT APPEAL. ISSUE ANY OTHER ORDERS/DIRECTIONS AS THIS HON'BLE COURT DEEMS FIT IN THE FACTS AND CIRCUMSTANCES OF THE CASE IN THE INTEREST OF JUSTICE.

IN C.C.C. NO.251/2024:

BETWEEN:

1. MR. K.V. PHANI BHUSHANA
S/O LATE K. VENKATACHALAI AH
AGED ABOUT 73 YEARS
R/AT 1761, 22ND CROSS
HOMEOPATHY COLLEGE ROAD
GOVINDARAJ NAGAR
BANGALORE 560040.
2. MR. K.N. SUBRAMANYA SWAMY
S/O K.M. NANJUNDAPPA
AGED ABOUT 61 YEARS
R/AT 3, 3RD BLOCK, H P NAGAR
BEML NAGAR POST
KGF 563115.
3. MR. M. RAMAPPA
S/O LATE CHANNAPPA
AGED ABOUT 75 YEARS
R/AT RENUKA NILAYA
AMARAVATHI LAYOUT



BANGARPET
KOLAR DISTRICT.

4. MR. P. PARTHIBAN
S/O PERYA SWAMY
AGED ABOUT 75 YEARS
R/AT 859, DEEPSHANTH COTTAGE
ORAGAUMPET, KGF 563121.
5. SMT. AKKAYAMMA
W/O LATE MUNIYAPPA A.V.
AGED ABOUT 61 YEARS
R//AT K-2, 3RD CROSS
3RD MAIN, LAKSHMI NARAYANA PURA
BANGALORE 560021.
6. MR. N. SHIVASHANKARACHARY
S/O NARAYANACHARYA
AGED ABOUT 56 YEARS
R/AT B-231, OFFICERS QUARTERS
BEML NAGAR, KGF 563115.
7. MR. G.N. NANJUNDA SETTY
S/O LATE NARAYAN SETTY G.B.
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R/AT 95, 8TH MAIN, 8TH CROSS
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MYSORE 571001.
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AGED ABOUT 78 YEARS
R/AT 11 BEML LAYOUT
BYREGOWDA NAGAR
KOLAR 563101.
9. MR. C.S. PANEESHA
S/O SATHYA NARAYANA
AGED ABOUT 55 YEARS
R/AT B-126, BHARATH NAGAR
BEML NAGAR, KGF.



10. MR. S.G. BALAKRISHNA
S/O S.R. GURURAJACHAR
AGED ABOUT 71 YEARS
R/AT 74, MODEL HOUSE
3RD STREET, BASAVANAGUDI
BANGALORE 560004.

11. MR. S.G. CHANDU
S/O S.R. GURURAJCHAR
AGED ABOUT 71 YEARS
R/AT. 74, MODEL HOUSE
3RD STREET, BASAVANAGUDI
BANGALORE 560004.

...COMPLAINANTS

(BY SMT. B.V. VIDYULATHA, ADV.,)

AND:

1. ANIL KUMAR AROLIKAR
TAHASILDAR YELAHANKA
YELAHANKA
BENGALURU 560064.

...ACCUSED

2. STATE OF KARNATAKA
DEPARTMENT OF REVENUE
REP BY ITS PRINCIPAL SECRETARY
VIKASA SOUDHA,
BANGALORE 560001.

.... PROFORMA RESPONDENT

(BY SMT. PRAMODHINI KISHAN, AGA FOR PROFORMA R2 & A1)

THIS CCC IS FILED UNDER SECTION 11 AND 12 OF THE CONTEMPT OF COURTS ACT, PRAYING TO INITIATE CONTEMPT OF COURT PROCEEDINGS AGAINST THE ACCUSED NO.1 HEREIN AND TO TAKE SUITABLE ACTION FOR HIS WILLFUL VIOLATION OF THE ORDER DATED 11.10.2023 IN W.P.NO.22137/2023 (KLR-RES) AT ANNEXURE-A AND TO GRANT ALL OTHER CONSEQUENTIAL BENEFITS.



THIS WRIT APPEAL CONNECTED WITH C.C.C. HAVING BEEN HEARD AND RESERVED ON 18.02.2026, COMING ON FOR PRONOUNCEMENT OF JUDGMENT, THIS DAY **VIJAYKUMAR A. PATIL J.**, DELIVERED THE FOLLOWING:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

CAV JUDGMENT

(PER: HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL)

WA.No.1149/2024 is filed by the State of Karnataka and its officials under Section 4 of the High Court of Karnataka Act, 1961, challenging the order dated 11.10.2023 passed by the learned Single Judge in W.P.No.22137/2023 (KLR-RES).

2. CCC.No.251/2024 is filed by the private respondents in the above appeal alleging the willful disobedience of the order dated 11.10.2023 passed by the learned Single Judge in WP.No.22137/2023 (KLR-RES).

3. The brief facts leading to filing of this appeal are that the respondents claims to be the members of M/s. BEML (HQRS & MKTG) SC-ST Employees Welfare



Association and owners of the sites situated in the new BEML Soudha Layout, consisting of about 1500 sites situated in various survey numbers of Bagaluru Village, Jala Hobli, Bengaluru North Taluk, Bengaluru District. It is claimed that they have purchased the said sites under various registered sale deeds. It is averred that the Tahasildar, Yelahanka Taluk, Bengaluru, whom they have named in-person in the writ proceedings has illegally demolished the formed layout of about 2 acres 28 guntas in Sy.No.175 of Bagaluru Village on 04.09.2023. In this background, the respondents filed a writ petition seeking to quash notice at Annexure-Q and sought declaration that the action of the officials/respondents in writ petition in demolishing the structures existing in 2 acres 28 guntas of the layout formed by the Association in which 55 sites of the petitioners are covered, and under the pretext that the said layout is formed in a portion of Government land in new Sy.No.416 of Bagaluru Village was illegal. The learned Single judge, after considering the rival submissions,



passed the impugned order, issued direction for restoration of possession to the respondents and other directions. Being aggrieved, the State Government is in appeal and the original petitioners are alleging willful disobedience of the order passed by the learned Single Judge.

4. Smt.Pramodhini Kishan, learned AGA appearing for the State in appeal and the accused in the contempt proceedings submits that the direction of the learned Single Judge with regard to conduct of a survey and restoration of possession has been complied with. It is further submitted that the Division Bench of this Court, by order dated 12.11.2025, has issued directions to conduct survey, which has also been complied with as it is evident from the compliance affidavit filed on 17.12.2025. It is also submitted that in view of the compliance of the order of the learned Single Judge and the Division Bench, nothing survives for adjudication in the appeal as well as



in the contempt proceedings. Hence, she seeks to dispose of the appeal and seeks to drop the contempt proceedings.

5. Per contra, Smt.B.V.Vidyulatha, learned counsel appearing for the respondents in appeal and the complainants in the contempt proceedings submits that the learned Single Judge has come to conclusion that the action of the appellants/accused was illegal, hence, ordered restoration of the possession in favour of the original petitioners. It is submitted that despite such direction, the possession has not been handed over to the original petitioners as ordered. It is further submitted that the learned Single Judge as well as the Division Bench by its order dated 12.11.2025 has ordered that a survey is required to be conducted in the presence of the writ petitioners with reference to the revenue records and the survey documents maintained with the Assistant Director of Land Records (for short 'ADLR'). However, the authorities have failed to consider the revenue records produced by the site holders and have also refused to



furnish the revenue records and the survey records which is evident from the mahazar drawn by the officers on the date of the survey. It is also submitted that there is a willful disobedience of the order of the learned Single Judge and interim order of the Division Bench. Hence, she seeks to dismiss the appeal filed by the State Government and requests to post the matter for framing of charges against the accused.

6. We have heard the arguments advanced by the learned AGA appearing for the appellants, learned counsel appearing for the respondents and perused the material available on record. We have given our anxious consideration to the submissions advanced on both the sides.

7. The respondents in the appeal filed the writ petition claiming to be the members of M/s. BEML (HQRS & MKTG) SC-ST Employees Welfare Association and owners of the sites situated in new BEML Soudha Layout,



consisting of about 1500 sites situated in various survey numbers of Bagaluru Village, Jala Hobli, Bengaluru North Taluk, Bengaluru District. It is claimed that they have purchased the said sites under various registered sale deeds. It is averred that the Tahasildar, Yelahanka, whom they have named in-person in the writ proceedings has illegally demolished the formed layout of about 2 acres 28 guntas in Sy.No.175 of Bagaluru Village on 04.09.2023. The writ petitioners sought to quash notice at Annexure-Q and sought declaration that the action of the officials/respondents in the writ petition in demolishing structures existing in 2 acres 28 guntas of a layout formed by the Association in which 55 sites of the petitioners are covered on the pretext that the said layout is formed in a portion of Government land in new Sy.No.416 of Bagaluru Village was illegal.

8. The learned Single Judge after considering the contentions advanced and based on the material placed on



record, passed a detailed order on 11.10.2023. Paragraph
Nos.9 to 11 of the said order are extracted herein below:

*"9. Accordingly, the petition is **disposed off** in terms of the following:*

- (a) The revenue authorities to conduct survey in presence of the petitioners with reference to the revenue records and survey documents maintained with the Assistant Director of Land Records.*
- (b) Upon the sketch being prepared pursuant to said survey and if it is found that the Government land is encroached, the respondents are at liberty to take appropriate action in terms of the directions made in W.P.No.20830/2023 or other action as permissible under law.*
- (c) Needless to state, the survey to be conducted in presence of the petitioners and all other interested persons after notifying the date in advance and sharing the copies of survey / revenue documents to the petitioners and other interested persons.*

10. In light of setting aside of the notice at Annexure-'Q', the possession said to have been taken away by the Tahsildar pursuant to Annexure-'Q' is to be restored to the petitioners. Learned counsel for the petitioners seeks liberty to initiate appropriate proceedings for damages in light of the illegalities mentioned in the writ petition. It is for the petitioners to work out remedies as per law insofar as alleged damages are concerned as this Court in its present jurisdiction cannot enter into the disputed questions.



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11. Possession to be handed over by the Government within a period of 10 days from the date of receipt of certified copy of the order by drawing of mahazar in the presence of the petitioners and other affected parties."

9. The State Government and its officials have filed this writ appeal challenging the aforesaid order. However, a categorical statement is made by the learned AGA that adjudication of the appeal would not survive in view of the compliance of the order of the learned Single Judge and in support of her contention she mainly placed reliance on the additional compliance affidavit filed by Sri.Shreyas G.S., Tahasildar, Yelahanka Taluk, Bengaluru in the contempt proceedings. The learned counsel for the private respondents contends that there is no compliance of the direction of the Division Bench dated 12.11.2025 as well as the order of the learned Single Judge. For easy reference order dated 12.11.2025 is extracted herein below:

"In CCC No.251/2024

*1. By an order dated 11.10.2023 passed in Writ
Petition No.22137/2023 (KLR-RES) [the*



disobedience of which is alleged] the learned Single Judge has directed as under:

9. Accordingly, the petition is disposed off in terms of the following:

(a) The revenue authorities to conduct survey in presence of the petitioners with reference to the revenue records and survey documents maintained with the Assistant Director of Land Records.

(b) Upon the sketch being prepared pursuant to said survey and if it is found that the Government land is encroached, the respondents are at liberty to take appropriate action in terms of the directions made in W.P.No.20830/2023 or other action as permissible under law.

(c) Needless to state, the survey to be conducted in presence of the petitioners and all other interested persons after notifying the date in advance and sharing the copies of survey / revenue documents to the petitioners and other interested persons.

10. In light of setting aside of the notice at Annexure-'Q', the possession said to have been taken away by the Tahsildar pursuant to Annexure-'Q' is to be restored to the petitioners. Learned counsel for the petitioners seeks liberty to initiate appropriate proceedings for damages in light of the illegalities mentioned in the writ petition. It is for the petitioners to work out remedies as per law insofar as alleged damages are concerned as this Court in its present



jurisdiction cannot enter into the disputed questions.

11. Possession to be handed over by the Government within a period of 10 days from the date of receipt of certified copy of the order by drawing of mahazar in the presence of the petitioners and other affected parties.

2. The revenue authority was thus required to conduct survey in the presence of the writ petitioners with reference to the revenue records and the survey documents maintained with the Assistant Director of Land Records. The Court had also directed that the survey be conducted in the presence of writ petitioners as well as all other interested persons after notifying the date in advance.

3. Insofar as the writ petitioners are concerned, there is no difficulty. However, learned AGA for the accused submits that there are no details as to the other interested persons, who also claim rights in respect of the subject land measuring 2 acres and 28 guntas.

4. The learned Single Judge had recorded that the layout was comprised in to 55 sites.

5. Smt.Vidyulatha, learned counsel appearing for the complainants submits that in terms of the memo dated 11.11.2025, a list of certain site holders has been provided to the accused.

6. In addition to giving a notice to the said persons, the accused may also issue a public notice for a survey to be conducted.

7. Let the exercise be completed within five weeks from date.



8. List on 18.12.2025."

10. The aforesaid orders of the learned Single Judge and the Division Bench make it clear that the revenue authorities were directed to conduct a survey in the presence of the writ petitioners with reference to the revenue records and the survey documents maintained with the ADLR. The order further indicates that upon preparation of the sketch pursuant to the survey, if the authorities come to the conclusion that the Government land is encroached, the liberty is reserved to the appellants to take appropriate action in terms of the direction made in WP.No.20830/2023 and other actions as permissible under law. It is also observed that the survey shall be conducted with the presence of the petitioners and all other interested persons after notifying them. The learned Single Judge quashed the notice at Annexure-Q and further ordered that possession to be handed over by the Government by drawing the mahazar in the presence of the writ petitioners and other affected persons.



11. The affidavit dated 17.12.2025 of the Tahasildar, Yelahanka Taluk, Bengaluru indicates that the Tahasildar has issued notice dated 21.11.2025 to the writ petitioners i.e., to all 32 site owners as per the list provided by the respondents/complainants in the contempt proceedings through speed post. The notice of survey was duly published in two newspapers on 25.11.2025 and as per the notice, survey shall be conducted on 10.12.2025 in the presence of the writ petitioners and interested persons. The copies of the notice and the public notice published in the newspapers have been produced along with the affidavit. The affidavit further indicates that as per the schedule, survey was conducted on 10.12.2025 in the presence of the persons who were present, boundaries were marked and notified to the complainants and other concerned persons. The mahazar was drawn for carrying out the survey. The perusal of the mahazar clearly indicates that after survey the persons who were present were shown the boundaries and the persons present have



affixed their signatures on the mahazar. The photographs for having conducted the mahazar on the scheduled date and showing boundaries to the writ petitioners are produced along with the affidavit. The affidavit also indicates that the writ petitioners raised objections that the survey documents and records were not given to them. In view of the same, the survey sketch, Tippani, Akarband and RTC records of the lands were sent to the complainants and other concerned persons through speed post along with covering letter dated 12.12.2025. The deponent has also deposed that the order of the learned Single Judge and the Division Bench was never disobeyed and at any point of time, if the order is disobeyed he would seek unconditional apology and also expressed that there is a delay in compliance which is unintentional.

12. Having perused the directions of the learned Single Judge and this Court dated 12.11.2025 referred *supra*, we are of the considered view that the appellants have complied with the directions referred *supra* by



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conducting the survey after following the procedures stated in the order. The documents were made available to the complainants and other interested persons and they were shown the properties as per the mahazar at Annexure-R4 which has been acknowledged by the complainants and other persons who were present on the date of survey. It is to be noticed that the mahazar indicates that the sites are vacant, the boundaries of the sites are shown to the site owners and possession is given which amounts to compliance of the order of the learned Single Judge. Hence, we are of the considered view that there is a compliance of the orders of the learned Single Judge and the Division Bench dated 12.11.2025. We do not find any willful disobedience of the order to proceed further in the contempt petition. Now, that the order is complied, the writ appeal filed by the State Government does not survive for adjudication and the same is ***disposed of***. For the reasons recorded *supra*, the contempt proceedings are ***dropped***.



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Notice issued to the accused shall stands discharged.

Sd/-
(ANU SIVARAMAN)
JUDGE

Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE

ABK
List No.: 2 Sl No.: 7