



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 28029 OF 2024 (KLR-RES)

BETWEEN:

1. SRI CHANDRAKUMAR H M
AGED ABOUT 44 YEARS
S/O MAHADEV
AADHAR NO.994461524021
NO PAN NUMBER
MOB 8894411194
NO EMAIL
2. SRI. GOVINDARAJU K
AGED ABOUT 70 YEARS
S/O LATE KRISHNAPPA
AADHAR NO.957782924393
MOB 9900717771
NO PAN NUMBER
NO EMAIL
3. SRI PRAMOD H K
AGED ABOUT 48 YEARS
S/O LATE KRISHNAPPA
AADHAR NO.959581963778
MOB 99001256131
NO PAN NUMBER
NO EMAIL





4. SRI SANTHOSH H S
AGED ABOUT 43 YEARS
S/O SRIKANTEGOWDA
AADHAR NO.774209276092
MOB 9954106315
NO PAN NUMBER
NO EMAIL
5. SRI.SHEKAR
AGED ABOUT 40 YEARS
S/O LATE SHIVANNA
AADHAR NO.701983655209
MOB 9632413524
NO PAN NUMBER
NO EMAIL
6. SRI SHIVA KUMAR H K
AGED ABOUT 64 YEARS
S/O KRISHNEGOWDA
AADHAR NO.901630005465
MOB 9845226387
NO PAN NUMBER
NO EMAIL
7. SRI. KEMPANNA H R
AGED ABOUT 67 YEARS
S/O RAMEGOWDA
AADHAR NO.354713443117
MOB 9341185360
NO PAN NUMBER
NO EMAIL
8. SRI RAVIKUMAR H M
AGED ABOUT 50 YEARS
S/O MAHADEV
AADHAR NO.299874752231
MOB 9341820335
NO PAN NUMBER
NO EMAIL



9. SRI. SANJAY R
S/O NAGENDRA
AGED ABOUT 29 YEARS
AADHAR NO.431928740081
NO PAN NUMBER
NO MOB AND NO EMAIL

10. SRI RAJESH H S
AGED ABOUT 28 YEARS
S/O LATE H T SHEKAR
AADHAR NO.996867816790
MOB 9902244924
NO PAN NUMBER
NO EMAIL

ALL ARE R/OF. P. HOSAHALLI VILLAGE
AND POST, BELAGOLA HOBLI,
SRIRANGAPATTANA TALUK,
MANDYA DISTRICT - 571438.

...PETITIONERS

(BY SRI. B S NAGARAJ, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF REVENUE
M. S. BUILDING,
BENGALURU - 560 001.
2. THE DEPUTY COMMISSIONER
MANDYA DISTRICT,
MANDYA-571401.
3. THE ASSISTANT COMMISSIONER
PANDAVAPURA SUB-DIVISION,
PANDAVAPURA.
MANDYA DISTRICT - 571401



4. THE THASILDAR
SRIRANGAPATTANA TALUK
SRIRANGAPATTANA.
MANDYA DISTRICT,
5. THE SUPERINTENDENT OF POLICE
MANDYA DISTRICT,
MANDYA-571401.
6. THE ASSISTANT EXECUTIVE ENGINEER
NO. 2, SUB-DIVISION
KRISHNA RAJA SAGAR
SRIRANGAPATNA TALUK
MANDYA DISTRICT - 571438
7. THE PANCHAYAT DEVELOPMENT OFFICER
HOSAHALLI GRAMA PANCHAYAT
BELAGOLA HOBLI,
SRIRANGAPATANA TALUK,
MANDYA DISTRICT - 571438
8. STATION HOUSE OFFICER
SRIRANGAPATTANA TALUK
SRIRANGAPATTANA
9. SRI.H.S. CHANDRAPPA
AGED ABOUT 65 YEARS
S/O LATE SIDDEGOWDA
R/AT. P. HOSAHALLI VILLAGE AND POST,
BELAGOLA HOBLI,
SRIRANGAPATTANA TALUK,
MANDYA DISTRICT - 571438

...RESPONDENTS

(BY SMT. NILOUFER AKBAR, AGA FOR R1 TO R6 & R8
SRI. SOMASHEKAR C ANGADI, ADVOCATE FOR R9
R7 IS SERVED AND UNREPRESENTED)



THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA R/W RULE 14 (1) OF THE HIGH COURT OF KARNATAKA (PUBLIC INTEREST LITIGATION) RULES 2018, PRAYING TO ISSUE A WRIT IN THE NATURE OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT OR ORDER, DIRECTING THE RESPONDENT NO.2 - DEPUTY COMMISSIONER AND RESPONDENT NO.4 - THASILDAR TO TAKE NECESSARY ACTION TO CLEAR THE ROAD PORTION TO MAKE CONVENIENT TO PUBLICS BY CONSIDERING THE REPRESENTATION DATED 24/09/2020, COPY SUBMITTED AT ANNEXURE-F1 AND IF NECESSARY, TO TAKE ACTION UNDER THE PROVISION OF SECTION 192(A) OF KARNATAKA LAND REVENUE ACT, INDIAN EASEMENT ACT, 1882, AND SECTION 147 UNDER THE CODE OF CRIMINAL PROCEDURE, 1973, AS PER THE GOVERNMENT CIRCULAR COPY SUBMITTED AT ANNEXURE-G AND REPRESENTATION MADE AT ANNEXURE-F1 AND ETC.

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

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The petitioners have filed the present petition as a public interest litigation, *inter alia*, praying as under:

- i) Issue a writ in the nature of Mandamus or any other appropriate Writ or order; directing the Respondent No.2 - Deputy Commissioner and Respondent No.4 - Tahsildar, to take necessary action to clear the Road portion to make convenient to publics by considering the Representation



dated 24.09.2020, copy submitted at Annexure-F1. and further directed the respondent No.2 to 6 if necessary, to take action under the provision of Section 192(A) of Karnataka Land Revenue Act, Indian Easement Act, 1882, and Section 147 under the Code of Criminal Procedure, 1973, as per the Government Circular copy submitted at Annexure-G., and; representation made at Annexure-F1, and

ii) Pass such other order or orders as this Hon'ble court may deem fit to grant in the circumstances of the case

iii) And allow this writ petitions in the interest of justice and equity.

2. The petitioners essentially pray that directions be issued to the revenue authorities to remove the obstruction on the road and further to take action under the provisions of Section 192(A) of the Karnataka Land Revenue Act, 1964. The petitioners allege that respondent No.9 has illegally encroached upon a portion of the road at P.Hosahalli village from PWD road. The petitioners allege that there was a road existing, which respondent No.9 has merged with his land and is now cultivating the same.



3. Learned Additional Government Advocate submits that no action in respect of the road can be taken as the land in question was the subject matter of a suit preferred by respondent No.9 being OS No.53/2020, which has been decreed.

4. Learned counsel for respondent No.9 also states that the petitioners contention that respondent No.9 has encroached upon any road is incorrect. He submits that respondent No.9 has also instituted a suit, *inter alia*, against the petitioners being OS No.327/2016 in respect of the subject land, which is decreed. Additionally, he submits that the mother of petitioner Nos.1 and 8 has also filed a suit in respect of the same land being OS No.302/2023 and has sought permission to prosecute the same as a public interest litigation.

5. Clearly, the question whether respondent No.9 has encroached upon public road is not required to be examined in this petition. However, the State shall examine the same and take necessary steps. If the State finds that the public road has been encroached upon and it cannot take any steps pursuant to any



decree passed by a Civil Court, the State is required to take proper remedies in respect of the same.

6. The petition is disposed of with the aforesaid observations.

7. Pending IAs., if any, also stand disposed of.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(C.M. POONACHA)
JUDGE

ND
List No.: 1 SI No.: 19