

(2026) 03 KAR CK 0171

In the Karnataka High Court, Principal Bench

Case No : Writ Petition No. 7359 Of 2026 (KLR-RES)

Kirtana Biddapa

APPELLANT

Vs

State Of Karnataka & Ors

RESPONDENT

Date of Decision : 06-03-2026

Acts Referred:

Citation : (2026) 03 KAR CK 0171

Hon'ble Judges : R Devdas, J

Bench : Single Bench

Advocate : B.S. Sushanth Sharma, B.P. Radha

Final Decision : Disposed Of

Judgement

R Devdas, J

1. Learned Additional Government Advocate takes notice for all the respondents.
2. Learned counsel for the petitioner is directed to serve copies of the writ petition along with annexures on the learned AGA.
3. Learned counsel for the petitioner submits, while drawing attention of this Court to the impugned notice at Annexure-A that, nowhere in the reference is there any information that notice has been issued to the petitioner. In the reference all that is stated is a complaint filed by Smt.M.A.Savithri and family members on 13.05.2025; communication made by the Deputy Commissioner on 25.06.2025; report submitted by the Revenue Inspector on 30.07,2025; reports submitted by the Assistant Director of Land Records on 25.11.2025. Learned counsel would therefore submit that no prior notice is given to the petitioner and in the impugned order, the respondent-Tahsidlar has directed the petitioner to evict or remove all encroachments on or before 25.02.2026. Learned counsel submits that it is clear from the impugned order itself that no opportunity of hearing is given to the petitioner and the Tahsildar has unilaterally come to conclusion that the petitioner has encroached upon the 'kaludari' in Sy.No.6 of

Koppathuru Village. Learned counsel for the petitioner submits that the respondents cannot dispute the fact that the petitioner is the owner of 27 acres 99 cents in Sy.No.6 of Koppathuru Village, Somawarpete Taluk as found in the RTC at Annexure-C.

4. Consequently, the writ petition stands disposed of with a direction to respondent-Tahsildar and the petitioner herein to treat the impugned order at Annexure-A as a show cause notice. 15 days time is given to the petitioner to give a reply to the show cause notice. The Tahsildar shall thereafter consider the reply and the documents that would be submitted along with the reply, conduct a joint survey in the presence of the petitioner and thereafter proceed only in accordance with law.

5. Needless to observe that till such a decision is rendered by the Tahsildar pursuant to the directions issued by this Court no precipitative action shall be taken against the petitioner.

Ordered accordingly.

6. Learned Additional Government Advocate is permitted to file memo of appearance within a period of four weeks from today.