

**IN THE HIGH COURT OF KARNATAKA AT BANGALORE**

**DATED THIS THE 25<sup>th</sup> DAY OF JUNE, 2008**

**BEFORE**

**THE HON'BLE MR. JUSTICE N.K.PATIL**

**WRIT PETITION No.4210 OF 2006 (LR)**

**BETWEEN**

1. SRI.C.K.NAROTHAM,  
S/O.LATE C.V.KRISHNAMURTHY,  
AGED ABOUT 71 YEARS,  
RESIDING AT NO.15,  
KUMARA PARK EAST,  
BANGALORE-560 001.
2. SRI.C.K.SATHYAPRIYA  
S/O.LATE C.V.KRISHNAMURTHY,  
AGED ABOUT 66 YEARS,  
RESIDING AT NO.15,  
KUMARA PARK EAST,  
BANGALORE-560 001.

REPRESENTED BY HIS DULY  
CONSTITUTED AGENT AND  
POWER OF ATTORNEY  
SRI.C.K.NAROTHAM.

....PETITIONERS

(BY SRI.GIRIDHAR AND CO.,)

**AND**

1. THE DEPUTY COMMISSIONER,  
BANGALORE DISTRICT,  
BANGALORE.
2. THE SPECIAL TAHSILDAR,  
ANEKAL LAND TRIBUNAL,  
ANEKAL,  
BANGALORE DISTRICT.

.....RESPONDENTS

(BY SRI.NADIGA SHIVANANDAPPA, HCGP FOR R1 AND R2)

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THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS TO PAY TO THE PETITIONERS THE COMPENSATION AMOUNT FOR THE LANDS ACQUIRED UNDER THE PROVISIONS OF THE KARNATAKA LAND REFORMS ACT, IN ACCORDANCE WITH ANN-A TO V.

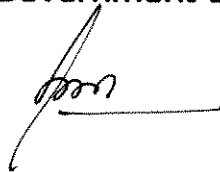
THIS WRIT PETITION COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, THE COURT MADE THE FOLLOWING:

**O R D E R**

In this case, petitioners have sought for a direction, directing the respondents to pay the petitioners the compensation amount for the lands acquired by Government under the provisions of the Karnataka Land Reforms Act in accordance with law, as per his notice Annexures A to V and in pursuance of the legal notice issued through the local counsel dated 13<sup>th</sup> May 2003.

2. I have heard learned counsel appearing for petitioners and learned counsel for respondents.

3. The only grievance of petitioners in the instant writ petition is that, several lands belonging to petitioners have been vested in Government and since in respect of



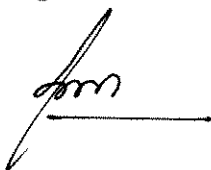
tenanted lands, parties are entitled for compensation as provided under the relevant provisions of the Land Reforms Act and Rules, petitioners were issued with Notices vide Annexures A to V directing the petitioners to come over and receive the compensation. It is the further case of petitioners that, even though they have gone to the Office of second respondent on several occasions, the said amount has not been paid to them as referred in the notices vide Annexures A to V. Therefore, petitioners were constrained to issue legal notice through the counsel on 13<sup>th</sup> May 2003 and the said legal notice is neither considered by the special Tahsildar nor by the jurisdictional Tahsildar. Hence, in view of inaction on the part of respondent No.2 or the jurisdictional Tahsildar, in not taking any decision in making payment of compensation amount, petitioners herein are constrained to approach this Court by



presenting the instant writ petition, seeking appropriate reliefs as stated supra.

4. I have heard learned counsel appearing for petitioners and learned Government Pleader appearing for respondents.

5. After careful evaluation of the material available on record, what emerges is that, in fact, petitioners are have been issued the Notices in respect of the land belonging to petitioners and vested in the Government as per the relevant provisions of the Land Reforms Act on the ground that, the said lands are tenanted lands and that, they are entitled for compensation. The said compensation has not been paid as alleged by petitioners. Thereafter, petitioners have got issued legal notice through the counsel as referred above and the second respondent has neither considered nor taken any decision on the said legal notice. Keeping the request of



petitioners in abeyance and not taking any decision is not justifiable.

6. Therefore, without expressing any opinion on merits of the case, it would suffice for this Court to issue appropriate direction to second respondent to consider the legal notice issued through counsel dated 13<sup>th</sup> May 2003 vide Annexure W.

7. Having regard to the facts and circumstances of the case, as stated above, the writ petition filed by petitioners is disposed of with a direction to second respondent to consider the legal notice issued through counsel dated 13<sup>th</sup> May 2003 vide Annexure W, if not already considered and disposed of, as expeditiously as possible, at any rate, **not later than three months** from the date of receipt of a copy of this order.

Sd/-  
Judge

BMV\*