



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 4TH DAY OF OCTOBER, 2023
PRESENT
THE HON'BLE MR JUSTICE G.NARENDAR
AND
THE HON'BLE MR JUSTICE VIJAYKUMAR A. PATIL
WRIT APPEAL NO. 263 OF 2023 (KLR-RES)

BETWEEN:

1. SHANTHAVEERAPPA,
S/O LATE ERAPPA,
AGED ABOUT 60 YEARS,
2. CHANDRAPPA
S/O LATE MARIVEERAPPA
AGED ABOUT 53 YEARS,
3. PUNITH B N
S/O LATE NANJAPPA
AGED ABOUT 38 YEARS,
4. CHANNABASAPPA
S/O LATE ERAPPA,
AGED ABOUT 65 YEARS,
5. CHIKKAVERAPPA
S/O LATE ERAPPA,
AGED ABOUT 60 YEARS,

ALL ARE R/AT BYADRAHALLI VILLAGE,
KASABA HOBLI, HOLENARSIPURA TALUK
HASSAN DISTRICT.

...APPELLANTS

(BY SRI. NARENDRA GOWDA., ADVOCATE)



AND:

1. SMT YASHODA
W/O MANJA
AGED ABOUT 38 YEARS
R/AT KADAVINAKOTE VILLAGE
HALEKOTE HOBLI
HOLENARASIPURA TALUK,
HASSAN DISTRICT.
2. ANANDA B M
S/O LATE MARIYAPPA @ SANNAIAH
AGED ABOUT 46 YEARS
R/AT BYADARAHALLI VILLAGE
PRESENTLY RESIDING AT
HALEKOTE VILLAGE AND HOBLI,
HOLENARASIPURA TALUK
HASSAN DISTRICT
3. THE PRINCIPAL SECRETARY
REVENUE DEPARTMENT
GOVERNMENT OF KARNATAKA
VIDHANASOUDHA
BENGALURU -560001
4. THE TAHSILDAR
HOLENARASIPURA TALUK
HASSAN DISTRICT - 573211

...RESPONDENTS

(BY SRI. S.R.KHAMROZ KHAN, AGA FOR R3 AND R4.)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER PASSED BY THE HON'BLE SINGLE JUDGE IN WP NO.23185/2022 DATED 13/12/2022 VIDE ANNEXURE-A AND CONSEQUENTLY DISMISS THE WRIT PETITION AND PASS SUCH ORDERS.

THIS APPEAL, COMING ON FOR HEARING ON INTERLOCUTORY APPLICATION, THIS DAY, G.NARENDAR J., DELIVERED THE FOLLOWING:



JUDGMENT

Heard the learned counsel for the appellants. The appellants are before this Court in this intra-Court appeal being aggrieved by the following order :

"2. Learned AGA appearing for the official Respondents having resisted the petition for some time now graciously agrees to instruct his client i.e., 2nd respondent-Tahsildar to look into grievance of the Petitioner in accordance with law and in a time bound way. This is appreciable

. In view of the above, writ petition is disposed off. Time for compliance is three months. All contentions are kept open. Costs having been made easy.

It is open to the answering Respondents to solicit any information or documents from the Petitioner side subject to the rider that in the guise of such solicitation, delay shall not be brooked."

2. That apart it is seen that the appellants are not parties before the learned Single Judge. Despite these lacunas, it is canvassed that the order is a direction and that too a direction to record the revenue entries in favour of the petitioner.

3. On a bare reading of the order it is apparent that, what flows is that a recording of the submission of the government



counsel that the Tahsildar would look into the grievance of the petitioner. There is no order in the nature of direction even directing consideration of any representation also. In that view of the matter, we are unable to appreciate the contention of the appellants' counsel that the order impugned is in any manner detrimental to their interest. If the appellants are so advised, it is open for them to approach the jurisdictional officer and file such objections as they deem necessary. The writ appeal being misconceived, is dismissed.

4. In view of the disposal of the writ appeal, pending IAs do not survive for consideration.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

YKL
List No.: 1 Sl No.: 31