

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 6TH DAY OF DECEMBER 2010

BEFORE

THE HON'BLE MR.JUSTICE D.V. SHYLENDRA KUMAR

WRIT PETITION Nos.10191/2010 & 13857/2010 (LA-RES)

C/W

WRIT PETITION Nos.10193/2010 and 10196/2010 (LA-RES)

IN WP Nos.10191/2010 & 13857/2010

BETWEEN:

1. T.K. Srinivas
S/o. Late Kariyappa @ Timmappa,
Aged about 52 years.
2. T.K. Timmegowda @ Timmappa
S/o. Late Kariyappa @ Timmappa
Aged about 38 years.

Both are residing at 3rd Division,
Subramanya Nagar,
Srinivasa Nilaya,
Turuvekere – 572 227.

...Petitioners.

(By Sri.R.K. Raghavendra for Sri.B.H. Dayananda, Adv.)

AND:

1. The Assistant Commissioner and
Land Acquisition Officer,
Tiptur Sub-Division,
Tumkur District.

2. The Tahasildar
The Taluk Office,
Turuvekere – 572 227
Tumkur District.

3. The Chief Officer,
The Town Panchayath,
Turuvekere – 572 227
Tumkur District.

4. The Assistant Executive Engineers,
Karnataka State Urban
Water Supply and Sewage Board,
Tumkur District.
Tumkur.

...Respondents.

(By Sri. Vijaya Kumar, AGA for R1 & 2)

These Writ Petitions are filed under Articles 226 & 227 of the Constitution of India with a prayer to quash Annexure-D, the award notice dated 10.2.2010 issued by the R1 & direct him to pay the agreed rate of compensation as ₹20,000/- (Rupees Twenty Thousand) per guntas in respect of the Land Acquisition Proceedings of petitioners agricultural land bearing Sy.No.104/2A measures 0.15 guntas, wet land, situated at Bidiswaste Village, Kasaba Hobli, Turuvekere Tq. Tumkur District, within the limits of the Turuvekere Town Municipality by issue of writ of mandamus.

IN WP No.10193/2010

BETWEEN:

T.S. Venkatasubba Dikshit
S/o. T.R. Subramanya,
Aged about 55 years,
Near Betarayaswamy Temple Street,
Turuvekere – 572 227
Tumkur District. ...Petitioner.

(By Sri.R.K. Raghavendra for Sri.B.H. Dayananda, Adv.)

AND:

1. The Assistant Commissioner and
Land Acquisition Officer,
Tiptur Sub-Division,
Tumkur District.

2. The Tahasildar
The Taluk Office,
Turuvekere – 572 227
Tumkur District.

3. The Chief Officer,
The Town Panchayath,
Turuvekere – 572 227
Tumkur District.

4. The Assistant Executive Engineers,
Karnataka State Urban Water Supply and Sewage Board,
Tumkur District.
Tumkur. ...Respondents.

(By Sri. Vijaya Kumar, AGA for R1 & 2)

This Writ Petition is filed under Articles 226 & 227 of the Constitution of India with a prayer to quash Annexure-D, the award notice dated 10.2.2010 issued by the R1 & direct him to pay the agreed rate of compensation as ₹20,000/- (Rupees Twenty Thousand) per guntas in respect of the Land Acquisition Proceedings of petitioner's agricultural land bearing Sy.No.101/1 measures 0.17 guntas, wet land, situated at Bidiswaste Village, Kasaba Hobli, Turuvekere Tq. Tumkur District, within the limits of the Turuvekere Town Municipality by issue of writ of mandamus.

IN WP No.10196/2010

BETWEEN:

Smt. Madhuramma
W/o. Nanjappa
Aged about 65 years,
R/at No.59, Hallikar Street,
Turuvekere Town & Taluk
Tumkur District.

...Petitioner.

(By Sri.R.K. Raghavendra for Sri.B.H. Dayananda, Adv.)

AND:

1. The Assistant Commissioner and
Land Acquisition Officer,
Tiptur Sub-Division,
Tumkur District.

2. The Tahasildar
The Taluk Office,
Turuvekere – 572 227
Tumkur District.

3. The Chief Officer,
The Town Panchayath,
Turuvekere – 572 227

Tumkur District.

4. The Assistant Executive Engineers,
Karnataka State Urban Water Supply and Sewage Board,
Tumkur District.
Tumkur.

...Respondents.

(By Sri. Vijaya Kumar, AGA for R1 & 2)

This Writ Petition is filed under Articles 226 & 227 of the Constitution of India with a prayer to quash Annexure-D, the award notice dated 10.2.2010 issued by the R1 & direct him to pay the agreed rate of compensation as ₹20,000/- (Rupees Twenty Thousand) per guntas in respect of the Land Acquisition Proceedings of petitioner's agricultural land bearing Sy.No.103/2 measures 0.09 guntas, wet land, situated at Bidiswaste Village, Kasaba Hobli, Turuvekere Tq. Tumkur District, within the limits of the Turuvekere Town Municipality by issue of writ of mandamus.

These Writ Petitions coming on for orders on memo for withdrawal this day, the Court made the following: -

ORDER

A memo for withdrawal in all the above petitions signed by Sri Naveen Kumar, Advocate for the petitioners has come up before the Court today. Memo dated 3.12.2010 reads as under :-

"The petitioners prays to this Hon'ble court be pleased to the dismiss above petition as withdrawn and order to return the original documents.



Because the petitioners would like to be file before the civil court. Hence this memo."

2. Sri.R.K. Raghavendra, learned counsel appearing for the petitioners submits that the petitioners would like to pursue their remedies in accordance with the provisions of the Land Acquisition Act, 1894 (hereinafter referred to as 'the Act'). Their grievance is with regard to the meagre compensation fixed by the Land Acquisition Officer, as they would like to seek enhancement of compensation, they would take steps before the Land Acquisition Officer etc and approach civil court.

3. Submission noted. Writ petitions are **dismissed** as withdrawn in terms of the memo.

4. Registry is directed to return the original documents or certified copies, if had been filed along with the petition, forthwith to the petitioners through their counsel.

Sd/-
JUDGE

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