

IN THE HIGH COURT OF KARNATAKA
DHARWAD BENCH

DATED THIS THE 30TH JANUARY, 2017

BEFORE

THE HON'BLE MR. JUSTICE L.NARAYANA SWAMY

WRIT PETITION NO.105465/2016 (LB-UC)

BETWEEN

K V RAVINDRANATH BABU S/O K G VENKATSWAMY,
AGE: 70 YEARS, OCC: AGRICULTURE,
R/O VENKATESHWARA NILAYA,
CHIKKAJOGIHALLI, TALUK: KUDLAGI,
DISTRICT: BALLARI

... PETITIONER

(BY SRI.H.M.DHARIGOND, ADVOCATE)

AND

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF REVENUE,
M S BUILDING, BANGALORE.
2. THE DEPUTY COMMISSIONER,
BALLARI DISTRICT, BALLARI,
3. THE ASSISTANT COMMISSIONER,
HOSPET, DISTRICT BALLARI.
4. THE CHIEF EXECUTIVE OFFICER,
DISTRICT INDUSTRIES CENTRE,
DEPARTMENT OF INDUSTRIES AND COMMERCE
BALLARI, DISTRICT: BALLARI.

5. THE CHIEF EXECUTIVE OFFICER,
ZILLA PANCHAYATH BALLARI,
DISTRICT: BALLARI.
6. THE JOINT DIRECTOR,
DISTRICT INDUSTRIES CENTRE,
DEPARTMENT OF INDUSTRIES AND COMMERCE
BALLARI DISTRICT: BALLARI.
7. THE DEPUTY DIRECTOR,
DISTRICT INDUSTRIES CENTRE,
DEPARTMENT OF INDUSTRIES AND COMMERCE
BALLARI DISTRICT: BALLARI
8. THE EXECUTIVE OFFICER,
TALUK PANCHAYATH, KUDLAGI
TALUK KUDLAGI, DISTRICT: BALLARI.
9. THE PRESIDENT,
GRAM PANCHAYATH MAKANDUKU
CHIKKAJOGIHALLI, TALUK: KUDLAGI,
DISTRICT: BALLARI.
10. THE PANCHAYATH DEVELOPMENT OFFICER,
GRAM PANCHAYATH MAKANDUKU,
TALUK: KUDLAGI, DISTRICT: BALLARI.

... RESPONDENTS

(BY SRI.RAVI HOSAMANI, AGA FOR R1-R4, R6 & R7;
SRI.V.SHIVARAJ HIREMATH, ADV FOR R5 & R8-R10)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA, PRAYING TO QUASH THE IMPUGNED ORDERS DATED 27.08.2015 PASSED BY THE 3rd RESPONDENT VIDE ANNEXURE-C AND ORDER DATED 20.04.2016 PASSED BY THE 8th RESPONDENT VIDE ANNEXURE-H.

THIS WRIT PETITION COMING ON FOR HEARING ON INTERLOCUTORY APPLICATIONS, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

The petitioner claims that he was the donor of the land bearing Sy.No.349-A/1 measuring 2 acres 22 guntas situated at Makanadaku Chikkajogihalli village in Kudlagi Taluk of Ballari District, which was gifted in favour of the fourth respondent in year 1986 for industrial purpose. Now the fourth respondent transferred the said land to the eighth respondent for taking necessary steps to allot the same to the houseless persons. It is the case of the petitioner that the Government has misused the property for which it was gifted. In respect of the same, the petitioner has made an application before the Deputy Commissioner. In this circumstance, this Court has granted interim order of stay.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents and perused the petition papers.

3. On perusing the same, I find that the gift is completed and the same is handed over to the fourth respondent. Annexure-A reveals that the ownership of the land has been transferred and the petitioner seized of his ownership under the said property. Under the circumstance, the interim order granted cannot be continued. The petitioner claim that he has made an application before the Deputy Commissioner, Ballari. If such representation is made, the Deputy Commissioner shall consider the same and pass appropriate orders in accordance with law within a period of six months from date of receipt of a copy of this order.

The writ petition is disposed of accordingly.

**Sd/-
JUDGE**

Vnp*