



**IN THE HIGH COURT OF KARNATAKA**

**KALABURAGI BENCH**

**DATED THIS THE 7<sup>TH</sup> DAY OF MARCH, 2024**

**BEFORE**

**THE HON'BLE MR JUSTICE V SRISHANANDA**

**WRIT PETITION NO. 200693 OF 2024 (GM-RES)**

**BETWEEN:**

GOURAMMA  
W/O LATE SHANTHAPPA,  
AGE: 55 YEARS, OCC: AGRICULTURE,  
R/O H.NO 5-4 KOTNOOR 'D' NANDIKUR,  
TALUK AND DISTRICT: KALABURAGI -585102.

...PETITIONER

(BY SRI. DASTAGIR SAHEB, ADVOCATE)

**AND:**

1. STATE OF KARNATAKA  
REPRESENTED BY PRINCIPAL SECRETARY,  
REVENUE DEPARTMENT,  
M.S BUILDING DR. B. R. AMBEDKAR VEEDHI,  
BENGLAURU-560001.
2. JOINT DIRECTOR OF LAND RECORDS  
KALABURAGI DIVISION, SURVEYOR TRAINING  
INSTITUTE AZALPUR ROAD, KALABURAGI-585102.
3. THE DEPUTY DIRECTOR OF LAND RECORDS  
CUM TECHNICAL ASSISTANT TO THE  
DEPUTY COMMISSIONER KALABURAGI REVENUE  
DISTRICT  
KALABURAGI DISTRICT-585101.
4. THE ASSISTANT DIRECTOR OF LAND RECORDS  
KALABURAGI TALUK AND  
DISTRICT KALABURAGI-585102.





5. THE ZONAL COMMISSIONER  
ZONAL OFFICE NO.1, MAHANAGAR PALIKE,  
AIWAN-E-SHAHI ROAD, KALABURAGI-585101.  
...RESPONDENTS  
(BY SMT. MAYA T. R, HCGP FOR R1 TO R4;  
SRI. KRUPA SAGAR PATIL, ADVOCATE FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, THIS HONOURABLE COURT MAY BE PLEASED TO, A. THE PETITIONER PRAYS TO CALL FOR RECORDS IN RESPECT OF THE SCHEDULE PROPERTY SY. NO.17/2/A MEASURING 04 ACRES 25 GUNTAS FROM THE FILE OF RESPONDENT NO. 2 TO 4.B. ISSUE A WRIT, ORDER OR DIRECTION IN THE NATURE OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, DIRECTING THE RESPONDENT NO. 1 TO 4 TO CONSIDER THE REPRESENTATION DATED 03-02-2024 PRODUCED AT ANNEXURE-G RESPECTIVELY TO THE PRESENT WRIT PETITION IN ACCORDANCE WITH LAW AND EXPEDITIOUSLY. C. ISSUE A WRIT, ORDER OR DIRECTION IN THE NATURE OF MANDAMUS OR ANY OTHER WRIT DIRECTING THE RESPONDENT NO.5 TO DEMOLISH THE CONSTRUCTION PUT UP ILLEGALLY BY ENCROACHING THE LAND OF PETITIONER SY. NO.17/2/A MEASURING 04 ACRES 25 GUTNAS BY STAKE HOLDERS/ADJACENT LAND OWNERS.

THIS WRIT PETITION IS COMING ON FOR PRELIMINARY HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:



**ORDER**

Writ petition is filed with the following prayer:

*"In view of the facts and circumstances of the case, it is hereby prayed that this Hon'ble Court be pleased to*

*A. The petitioner prays to call for records in respect of the schedule property Sy.No.17/2/A, measuring 04 acres 25 guntas from the file of respondent Nos. 2 to 4.*

*b. Issue a writ, order or direction in the nature of mandamus or any other appropriate writ, directing the respondent Nos.1 to 4 to consider the representation dated 03-02-2024 produced at Annexure-G respectively to the present writ petition in accordance with law and expeditiously.*

*C. Issue a writ, order or direction in the nature of mandamus or any other writ directing the respondent no.5 to demolish the construction put up illegally by encroaching the land of petitioner Sy.No.17/2/A, measuring 04 acres 25 gutnas by stake holders/adjacent land owners.*

*Issue any writ, or as any other or direction as this Hon'ble Court deems fit in view of the facts and circumstances of the case including the order of cost, in the interest of justice and equity."*



2. Petitioner herein claimed that she is the owner of land in Sy.No.17/2/A, measuring 4 acres 25 guntas of Kothanur village. She claims that it is their ancestral property. Special Land Acquisition Officer of National Authorities of India has issued a notice vide Annexure-C intending to acquire the land and therefore, the petitioner filed a representation before the Joint Director of Land Records, Deputy Director of Land Records and Assistant Director of Land Records to permit the sketch map with respect of land in Sy.No.17/2/A vide Annexure-G. The same is not considered by the concerned authorities. Therefore, the present petition is filed seeking for writ of mandamus.

3. Learned High Court Government Pleader submits that for having furnished Annexure-G to the concerned Authorities, there is no acknowledgement.

4. Learned counsel for the petitioner submits that the same has been sent by registered post and till today no action has been taken.

5. In view of the rival contentions, this Court perused the rival contentions on record.



6. Annexure-G said to have been sent through registered post, vide Annexure-H, H1, H2, H3 and H4. Annexure-G is dated 03.02.2024. Therefore, necessity has arisen to direct the respondents to consider Annexure-G within a definite time framed.

Accordingly, the following

ORDER

Writ petition is allowed.

Respondents are directed to consider Annexure-G within three months from today and pass appropriate orders.

**Sd/-**  
**JUDGE**

MR  
CT:SI  
List No.: 1 Sl No.: 28