NC: 2023:KHC-D:9362
WP No. 105049 of 2023

IN THE HIGH COURT OF KARNATAKA

DHARWAD BENCH

DATED THIS THE 18TH DAY OF AUGUST 2023

BEFORE

THE HON'BLE MR JUSTICE M.NAGAPRASANNA

WRIT PETITION NO. 105049 OF 2023 (KLR-RES)

BETWEEN:

SRI. BASAYYA S/O. GURUBASAYYA BELLAKKIMATH,
AGED ABOUT 52 YEARS, OCC: AGRICULTURE,
R/O. NIGADI, TQ AND DIST: DHARWAD-580020.

...PETITIONER

(BY SRI. GIRISH S HIREMATH, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
   DEPARTMENT OF REVENUE SECRETARY,
   M. S. BUILDING, BENGALURU-560001.

2. THE ASSISTANT DIRECTOR OF LAND RECORDS,
   K. C. PARK, HALIYAL ROAD, DHARWAD,
   TQ & DIST: DHARWAD-580001.

...RESPONDENTS

(BY SRI. MADANMOHAN M. KHANNUR, AGA)

VISHAL NINGAPPA PATTIHAL
Digitally signed by VISHAL NINGAPPA PATTIHAL
Date: 2023.08.24 11:26:41 +0530

THIS WP IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, ISSUE A WRIT IN THE NATURE OF MANDAMUS TO DIRECT THE RESPONDENTS TO SURVEY THE LAND AND FIX THE BOUNDARIES BEARING BLOCK NO.32/1A/7/1 MEASURING 2 ACRES 27 GUNTAS SITUATED AT AMBLIKOPPA VILLAGE DHARWAD TALUK DHARWAD DISTRICT AS PER APPLICATION DATED 18/8/2022 AT VIDE ANNEXURE-B.

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

ORDER

The petitioner is before this Court seeking the following prayer:

> *A. Issue a writ in the nature of mandamus to direct the respondents to survey the land and fix the boundaries bearing Block No.32/1A/7/1 measuring 2 acres 27 guntas situated at Amblikoppa village, Dharwad taluk Dharwad district as per application dated 18.08.2022 at vide Annexure:B.*
>
> *B. Issue such other suitable order/s or directions as this Hon'ble Court deems fit and proper in the nature and circumstances of the case in the interest of justice and equity.*

2. Heard the learned counsel Sri.Girish S. Hiremath appearing for the petitioner and the learned High Court Government Pleader Sri. Madanmohan M. Khannur appearing for the respondents.

3. The petitioner has submitted an application for conduct of survey of the land in Block No.32/1A/7/1 measuring 2 acres 27 guntas situate at Amblikopa Village, Dharwad district for fixing of the boundary. The

application was submitted on 18.08.2022. Despite passage of 12 months, the Authorities have not acted upon the application of conduct of survey of the land of the petitioner.

4. The learned AGA would submit that if reasonable time is granted, grievance of the petitioner, qua conduct of survey, would be redressed.

5. The submission of the learned AGA is placed on record.

6. The application of the petitioner shall be considered on its merit and appropriate action shall be taken within eight weeks from the date of receipt of a copy of this order, if not earlier.

Ordered accordingly.

Sd/-
JUDGE

KMV