IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF JANUARY, 2024

BEFORE

THE HON'BLE MR JUSTICE R DEVDAS

WRIT PETITION NO. 17659 OF 2023 (KLR-RES)

BETWEEN:

1. SMT. HANUMAVVA
AGED ABOUT 68 YEARS,
D/O ADIVEPPA,
R/AT NO, 27, NEAR BUS STOP,
SIDDAYYANA KOTE VILLAGE,
JAGALURU TALUK,
DAVANAGERE DISTRICT - 577 513.

2. SMT. GURUSHANTHAMMA,
AGED ABOUT 48 YEARS,
W/O SIDDALINGAPPA,
R/O SIDDAYYANA KOTE VILLAGE,
JAGALURU TALUK,
DAVANAGERE DISTRICT - 577 513.

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Location: HIGH COURT OF KARNATAKA

3. SMT. MANJAMMA,
AGED ABOUT 56 YEARS,
W/O BASAPPA,
R/O.SIDDAYYANA KOTE VILLAGE,
JAGALURU TALUK,
DAVANAGERE DISTRICT - 577 513.

...PETITIONERS

(BY SRI. PRABHUGOUD B. TUMBIGI, ADVOCATE)

AND:

1. STATE OF KARNATAKA
   BY ITS SECRETARY,
   REVENUE DEPARTMENT,
   AMBEDKAR VEEDHI,
   VIDHANA SOUDHA,
   BANGALORE - 560 001.

2. THE DEPUTY COMMISSIONER,
   DAVANAGERE DISTRICT,
   ZILLADALITHA BHAVANA, PLOT NO.77,
   KARUR INDUSTRIAL AREA, OLD P.B ROAD,
   DAVANAGERE - 577 006.

3. THE ASSISTANT COMMISSIONER,
   DAVANAGERE SUB DIVISION,
   DAVANAGERE - 577 001.

4. THE TAHASILDAR,
   JAGALURU TALUK,
   DAVANAGERE DISTRICT - 577 528

…RESPONDENTS

(BY SRI. SESHU V., HCGP)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS AUTHORITIES TO REGULARIZE THE OCCUPATION OF THE PETITIONERS AND ISSUE CULTIVATION CERTIFICATE TO THE PETITIONERS OF THE LAND BEARING SY.NO. 273 TO THE EXTENT OF 2 ACRES 25 GUNTAS, 3 ACRES 20 GUNTAS, AND 2 ACES 36 GUNTAS RESPECTIVELY SITUATED AT SIDDAYYANAKOTE VILLAGE JAGALURU TALUK, DAVANAGERE DIST. BY CONSIDERING THE REPRESENTATION

OF THE PETITIONERS PRODUCED VIDE ANNEXURE-M TO M2, N TO N2 AND P TO P2 AND ETC.,

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

ORDER

R.DEVDAS J., (ORAL):

Learned High Court Government Pleader is directed to take notice for all the respondents.

2. It is the grievance of the petitioners that their applications filed in Form No.53 in the year 1991 seeking regularization of unauthorized occupation have not been considered by respondent No.4-Tahsildar, Jagaluru Taluk, Davangere District, and no orders have been passed by the Committee for Regularization of Unauthorized Occupation. The prayer therefore, is to direct the respondent authorities to consider the representations individually given by the petitioners and pass orders within a time frame. In the meanwhile, it is also prayed that the respondent authorities should be directed not to disturb

peaceful possession of the respective properties till the consideration of the applications.

3. Having regard to the innocuous prayer made in the writ petition and having gone through the material available on record, this Court finds that consequent to the applications filed by the petitioners in the year 1991, the revenue authorities had infact issued notice to the petitioners and have conducted a survey and enquiry. At Annexure-L, a sketch is also produced showing that the survey authorities have identified the possession of the petitioners.

4. Consequently, the writ petition stands ***disposed of*** with a specific direction to respondent No.4-Tahsildar, Jagaluru Taluk, to place the applications of the petitioners along with his recommendation before the Committee for Regularization of Unauthorized Occupation within a period of two months from the date of receipt of a copy of this order. The committee shall thereafter consider the applications and pass necessary orders as

expeditiously as possible and at any rate within a period of two months from the date when which the applications would be placed by the Tahsildar before the Committee.

Ordered accordingly.

Learned Additional Government Advocate is permitted to file memo of appearance within a four week from today.

Sd/-
JUDGE

rv
CT:SNN