



**IN THE COURT OF THE I ADDITIONAL DISTRICT AND
SESSIONS JUDGE, TUMAKURU.**

Present:

Sri. Mohamed Ashraf Aris, B.A., LL.M.,
I Addl. District & Sessions Judge,
Tumakuru.

Dated this the 30th day June, 2026

Misc.No.141/2020

Petitioner : The Special Land Acquisition Officer,
Tumakuru-Rayadurga and
Tumakuru-Davanagere Railway Project,
Tumakuru.
(By. D.G.P.)

-VERSUS-

Respondents :- 1. Mallappa S/o Mallappa.
2. S.Narasanayaka
3. S.Narayanappa S/o Siddappa.
Respondents 1 to 3 are R/at Pavagada
village, Kasaba hobli, Pavagada taluk
4. M.Nagendrappa, Advocate,
Opp to Court building, Bellary road,
Pavagada.
5. Thippamma W/o Late Lingappa,
R/at Pavagada Town.
6. Siddesh Kumar, Advocate,
R/at Muneshwara Nilaya, 1st Floor,
1st Main road, Shanthinagar,



Tumkur.

(R.1 By. Sri. M.V.V, Advocate)

(R.2 By. Sri. R.K.R, Advocate)

(R.4- Absent)

(R.5 by Sri. G.R., Advocate)

I.A.No.II to IV

Applicants:

Opponents:

a) Deva Naik
S/o Late Narasa Naik S.
Aged about 60 years.

b) Chandra Naik
S/o Late Narasa Naik S.
Dead by L.R

b1) Gowri Bai @ Gowramma
W/o Chandra Naik,
Aged about 45 years.

b2) Leela Bai D/o Chandranaik,
W/o Ramesh Naik,
Aged about 27 years.

b3) Rajanaik N.C.
S/o Chandranaik,
Aged about 25 years.

b4) Susheela @ Susheela Bai
D/o Chandranaik,
W/o Suman Naik,
Aged about 23 years.

Vs The Special Land
Acquisition
Officer,
Tumakuru-
Rayadurga
Railway project

(L.Rs. Of deceased respondent
No.2 Narasanaik S.)

All are R/at Neladeegalabande
village, Roppa post, Kasaba
hobli, Pavagada taluk,
Tumakuru District.

**ORDERS ON I.A.Nos.II TO IV**

I.A. No. 2 is filed under Order XXII Rule 4 of CPC by the proposed L.Rs., of respondent No. 2 to bring them on record as legal representative of respondent No. 2. I.A No. 3 is filed under Order XXII Rule 9 of CPC to set aside the abatement, if any, in filing this application. I.A No. 4 is filed under Section 5 of the Limitation Act to condone the delay in filing the applications to bring the L.Rs.

2. In support of these applications the proposed respondent No.2(a) has filed his affidavit. He has stated that the proposed L.Rs., are the only legal heirs of the deceased respondent No.2, Narasa Nayaka. He has stated that he was unable to collect all the detailed information of the legal heirs and it consumed time and that he was not feeling well and therefore, there was delay in filing the applications.

3. In support of these applications the applicants have produced the genealogical tree issued by the Deputy Tahsildar, the copy of the Death Certificate of respondent No.2, the Aadhar cards of the proposed L.Rs. The learned



DGP appearing for the petitioner has submitted oral objections. But there is no serious objections regarding these applications.

4. The main petition is filed by the SLAO under Section 77(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The presence of the proposed L.Rs are necessary. The documents produced by the applicants show that they are the L.Rs of the deceased respondent No.2. Respondent No.2 has expired in the year 2008. The applicants have stated the reasons for the delay. The applicants are villagers. Considering the facts and circumstances of this case, this Court is of the opinion that these applications number 2 to 4 could be allowed. Hence the following order is passed.

ORDER

IA No. 2 filed under Order XXII Rule 4 of
CPC, I.A No.3 filed under Order XXII Rule 9 of
CPC and I.A No.4 filed under Section 5 of the
Limitation Act filed by the proposed L.Rs., of



respondent No. 2 are allowed.

The petitioners shall carry out the amendment and file amended petition.

No order as to cost.

(Dictated to the Stenographer directly on computer. Script corrected, signed and pronounced by me in the open Court on this the 30th day of June, 2026.)

(Mohamed Ashraf Aris,)

I Addl. District & Sessions Judge,
Tumakuru.