



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

WRIT PETITION NO. 13733 OF 2023 (LB-RES)

BETWEEN:

1. SRI. JAYAPRAKASHAIAH S.
S/O SHIVAIAH
AGED ABOUT 72 YEARS
R/AT KULLUKOPPA WARD
ARANALLI VILLAGE
HANAGERE GRAMA PANCHAYATH LIMIT
THIRTHALLI TALUK
SHIVAMOGGA DISTRICT-577 211.

...PETITIONER

(BY SRI. FAYAZ SAB B.G., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF URBAN DEVELOPMENT
AND PANCHAYATH RAJ
MULTI STORIED BUILDING
BENGALURU-560 001.
2. THE CHIEF EXECUTIVE OFFICER
ZILLA PANCHAYATH
SHIVAMOGGA DISTRICT
SHIVAMOGGA-577 210.





3. THE PANCHAYATH DEVELOPMENT OFFICER
HANAGERE GRAMA PANCHAYATH
HANAGERE, THIRTHAHALLI TALUK
SHIVAMOGGA DISTRICT-577 211.
4. SRI. SATHYANARAYANA D.
S/O D.DYAVANAYAKA
AGED ABOUT 46 YEARS
R/AT KALLUKOPPA, ARNALLI VILLAGE
SRIGERE POST
THIRTHAHALLI TALUK-577 211
SHIVAMOGGA DISTRICT.

...RESPONDENTS

(BY SMT. SPOORTHY V., HCGP FOR R1;
SMT. APEKSHA G.M., ADVOCATE FOR
SRI. MOHAN KUMAR B.M., ADVOCATE FOR R2 AND 3;
SRI. KASHINATH J.D., ADVOCATE FOR R4)

THIS PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR THE ENTIRE RECORDS PERTAINING TO THE CASE OF THE PETITIONER AND DIRECT RESPONDENT NO.3 TO TAKE SUITABLE ACTION AGAINST RESPONDENT NO.4 TO REMOVE THE DEEP ROOTED TREES SITUATED ADJACENT TO THE PETITIONER SCHEDULE PROPERTY, WHICH IS PRODUCED AND MARKED AS ANNEXURES-D AND G DATED 09.02.2022 AND 28.03.2023 RESPECTIVELY AND ETC.

THIS PETITION COMING ON FOR ORDERS, THROUGH PHYSICAL HEARING/VIDEO CONFERENCING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE M.I.ARUN

ORAL ORDER

1. The writ petition is filed alleging that respondent no.4 who is said to be a neighbour of the petitioner herein has grown a tamarind tree which is causing damage to the property of the petitioner.

2. Learned counsel for respondent nos.2 and 3 upon instructions submits that pursuant to filing of the writ petition, a meeting of petitioner and respondent no.4 was convened and the tamarind tree and other deep rooted trees on the property of respondent no.4 have been uprooted. The petitioner does not dispute the said fact.

3. For the aforementioned reasons, the writ petition is hereby ***dismissed*** as having become infructuous.

**Sd/-
(M.I.ARUN)
JUDGE**