



HC-KAR

NC: 2026:KHC-D:4465
WP No. 102526 of 2026

IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 102526 OF 2026 (LA-RES)

BETWEEN:

SHRI. VIJAYAKUMAR C/O SOMAPPA HESARUR,
AGE. 58 YEARS, OCC. BUSINESS,
R/O. PLOT NO.53, 2ND MAIN,
SAMPIGE NAGAR, DAHRWAD-580008,
TQ. AND DIST. DHARWAD.

...PETITIONER

(BY SRI. PRUTHVI K.S., ADVOCATE)

AND:

1. THE SPECIAL LAND ACQUISITION OFFICER,
NATIONAL HIGHWAY NO.63
DHARA MAHAL, 1ST FLOOR,
5TH CROSS, U.B.HILL, DHARWAD- 580001,
TQ. AND DIST. DHARWAD.
2. THE NATIONAL HIGHWAY AUTHORITY OF INDIA,
REPRESENTED BY ITS GENERAL MANAGER (TECH.)
AND PROJECT DIRECTOR,
PROJECT IMPLEMENTATION UNIT,
2ND CROSS, SATTUR COLONY,
VIDYAGIRI, DHARWAD.

...RESPONDENTS

(BY SMT.NANDINI.B.SOMAPUR, AGA FOR R1;
SRI. S.B.ANCHATAGERI, ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN RELIEFS.

THIS WRIT PETITION IS LISTED FOR PRELIMINARY HEARING IN
'B' GROUP, THIS DAY, AN ORDER IS MADE AS UNDER:



ORAL ORDER

Sri.Pruthvi.K.S., counsel for the petitioner and Smt.Nandini B.Somapur., AGA for respondent No.1 have appeared in person.

2. The petition is filed seeking following reliefs:

- a) *Issue a writ in the nature of mandamus by directing respondent No.2 not to further construct the Spillway Water Course of Tank passing directly to the land Brg Svy No.5/17 measuring to an extent of 1 Acre 5 Guntas situated at Kelageri Village, Dharwad, Tq and Dist. Dharwad by considering the representations dtd. 29/12/2025 and 6/3/2026 vide Annexures-D and E, in the interest of justice and equity.*
- b) *Issue a writ in the nature of mandamus by directing respondent No.2 to afford opportunity of hearing after conducting spot inspections by considering the representations dated 29/12/2025 and 6/3/2026 vide Annexures-D and E in so far as petitioner is concerned and to pass appropriate order in accordance with law, in the interest of justice and equity.*
- c) *Issue such other suitable order/s or directions as this Court deems fit and proper in the nature and circumstances of the case, in the interest of justice and equity.*

3. Counsel for the petitioner submits that the petitioner is not pressing prayer (a) at this juncture.

4. The said submission is placed on record.



5. Insofar as prayer (b) is concerned, the grievance of the petitioner is that the respondent authorities are discharging drainage directly into his land, thereby causing hardship. In this regard, the petitioner has submitted representations dated 29.12.2025 and 06.03.2026, produced as Annexures D and E, which have not been considered as of today.

6. Taking note of the grievance of the petitioner, a writ of mandamus is issued directing Respondent No. 2 to consider the representations submitted by the petitioner dated 29.12.2025 and 06.03.2026, vide Annexures D and E, in accordance with law, if not already considered, within a period of two weeks from the date of receipt of a certified copy of this order.

7. With the above observations, the writ petition stands ***disposed of***. It is made clear that this Court has not expressed any opinion on the merits of the case.

**Sd/-
(JYOTI M)
JUDGE**