



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 6TH DAY OF FEBRUARY 2026
BEFORE
THE HON'BLE MRS JUSTICE K.S.HEMALEKHA
WRIT PETITION NO. 105863 OF 2025 (LA-RES)

BETWEEN:

1. SMT. VIJAYALAKSHMI W/O. OBBALEPPA PUJAR
AGE: 50 YEARS, OCC: HOUSEWIFE,
2. SACHIN S/O. OBBALEPPA PUJAR
AGE: 32 YEARS, OCC: ADVOCATE,
3. SHRUTHI D/O. OBBALEPPA PUJAR
AGE: 28 YEARS, OCC: HOUSEWIFE,
4. SUMA D/O. OBBALEPPA PUJAR
AGE: 26 YEARS, OCC: HOUSEWIFE,
5. NAVEEN S/O. OBBALEPPA PUJAR
AGE: 24 YEARS, OCC: STUDENT,

ALL ARE R/O. TULASIGERI,
TQ. AND DIST: BAGALAKOTE.

...PETITIONERS

(BY SRI. SHUBHENDU A. AKALWADI, ADVOCATE)

AND:

1. DEPUTY COMMISSIONER
DEPUTY COMMISSIONER'S OFFICE,
DISTRICT ADMINISTRATION BUILDING,
NAVANAGAR, BAGALAKOTE-587103.
2. ASSISTANT COMMISSIONER
MINI VIDHANA SOUDHA,
NAVANAGAR, BAGALAKOTE-587103.





3. TAHASILDAR
TAHASILDAR'S OFFICE,
MINI VIDHANA SOUDHA,
NAVANAGAR, BAGALKOTE-587103.
4. THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT,
NAVANAGAR, BAGALKOTE-587103.
5. ASSISTANT EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT,
SUB DIVISION, BAGALKOTE-587103.
6. CHEIF EXECUTIVE OFFICER,
ZILLA PANCHAYAT,
DISTRICT ADMINISTRATIVE BUILDING,
NAVANAGAR, BAGALKOTE-587103.

...RESPONDENTS

(BY SRI. PRAVEEN K.UPPAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE THE WRIT IN THE NATURE OF MANDAMUS BY DIRECTING THE RESPONDENTS TO CONSIDER THE REPRESENTATION MADE BY THE PETITIONERS VIDE ANNEXURE-F DATED 27/03/2025 BY INITIATING THE ACQUISITION PROCEEDINGS AND PAY THE APPROPRIATE COMPENSATION FOR THE LAND THAT IS BEING ENCROACHED BY THE AUTHORITIES AND HAVE ILLEGALLY CONSTRUCTED THE ROAD, AND TO PASS APPROPRIATE ORDERS AS EXPEDITIOUSLY AS POSSIBLE IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.

THIS WRIT PETITION COMING ON FOR **PRELIMINARY HEARING** THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: THE HON'BLE MRS JUSTICE K.S.HEMALEKHA



ORAL ORDER

1. Learned Additional Government Advocate accepts notice for all the respondents.
2. The petitioners have approached this Court seeking a writ of mandamus directing the respondents to consider petitioners' representation dated 27.03.2025 (Annexure-F).
3. Learned counsel for the petitioners submits that the land belonging to the petitioners has been utilized by respondent No.5 for the formation of a public road without initiating any acquisition proceedings and without payment of compensation. It is contended that in this regard the petitioners have submitted a representation to the competent authorities, which has not been considered till date.
4. *Per contra*, learned Additional Government Advocate appearing for the respondents submits that, the allegation of utilization of the petitioners' land involves



disputed question of fact, which cannot be in exercise of writ jurisdiction. However, it is fairly submitted that if petitioners have made an appropriate application, the appropriate authorities would conduct spot inspection through the competent authority to ascertain whether there has been any such utilization.

5. Having regard to the submissions made, this Court is of the considered view that the grievance of the petitioners would be adequately addressed by issuing appropriate directions to the competent authority to ascertain the factual position and take action in accordance with law.
6. Accordingly, this Court pass the following:

ORDER

- i. The writ petition is ***disposed of***, reserving liberty to the petitioners to make necessary application before the concerned Assistant Director of Land



Records (ADLR) seeking survey of the schedule property to ascertain whether any portion of the petitioners' land has been utilized by the respondent-authorities for formation of a public road.

- ii. If such an application is filed by the petitioners within a period of two weeks from the date of receipt of a certified copy of this order, the concerned ADLR shall consider the same and conduct the survey after due notice to the parties concerned, within a period of four weeks thereafter.
- iii. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioners.

**Sd/-
JUSTICE K.S.HEMALEKHA**

gab
Ct:VH
List No.: 1 Sl No.: 3