



**IN THE HIGH COURT OF KARNATAKA,
DHARWAD BENCH**

DATED THIS THE 20TH DAY OF AUGUST 2025

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 105995 OF 2025 (LB-RES)

BETWEEN:

SHEKHARGOUDA S/O. SANGANAGOUDA POLICE PATIL,
AGE: 69 YEARS, OCC: AGRICULTURAL,
R/O: MANGALORE VILLAGE,
TQ: KUKANOOR, DIST: KOPPAL – 583 231.

...PETITIONER

(BY SRI. RAJASHEKHAR B. HALLI., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
DEPARTMENT OF PUBLIC WORK,
M.S.BUILDING, AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. THE DEPUTY COMMISSIONER,
KOPPAL DISTRICT, KOPPAL – 583 232.
3. THE CHIEF EXECUTIVE OFFICER,
ZILLA PANCHAYAT, KOPPAL,
DIST: KOPPAL 583 231.
4. THE EXECUTIVE OFFICER,
TALUK PANCHAYAT KUKANOOR,
KUKANOOR TALUKA,
KOPPAL DISTRICT – 583 231.
5. THE PANCHAYATH DEVELOPMENT OFFICER,
MANGALORE VILLAGE PANCHYATH,
TQ: KUKNUR, DIST: KOPPAL 583232,

...RESPONDENTS

(BY SRI. RAMESH B. CHIGARI., AGA FOR R1 AND R2;
SRI. VIJAYKUMAR BALAGERIMATH., ADVOCATE FOR R3 TO R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE
NATURE OF MANDAMUS BY ISSUING THE DIRECTION TO THE
RESPONDENTS NO 2 AND 5 TO CONSIDER THE REPRESENTATION OF
THE PETITIONER DATED 02.12.2024 PRODUCED AT ANNEXURE-E

Digitally signed
by GIRIJA A.
BYAHATTI
Location: High
Court of
Karnataka,
Dharwad Bench,
Dharwad



WITHIN THE STIPULATED PERIOD OF 2 WEEKS IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.

THIS WRIT PETITION, COMING ON FOR ORDERS THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ)

1. Learned AGA accepts notice for respondents No.1 and 2. Sri.Vijayakumar Balagerimath, learned counsel is directed to accept notice for respondents No.3 to 5.
2. The petitioner is before this Court seeking for the following reliefs:
 - i. *Issue a writ in the nature of mandamus by issuing the direction to the respondents no. 2 & 5 to consider the representation of the petitioner dated 02.12.2024 produced at Annexure-E within the stipulated period of 2 weeks in the interest of justice and equity.*
 - ii. *Issue the direction to the respondents 4 and 5 to conduct the re-survey and measurement of the demolished the house of the petitioner by ADLR of Yelburga or Government Surveyor under the prescribed method with notice to the petitioner and imparting the report to the petitioner within the prescribed limitation to enable the ascertain the actual damaged and its loss caused by the respondent No.6.*



iii. Pass such other order or orders as this Hon'ble Court may deem fit in the circumstances of the case in the interest of justice and equity.

3. The grievance of the petitioner is that the representation of the petitioner dated 2.12.2024 at Annexure-E for re-survey and measurement of the house of the petitioner has not been carried out. Hence, the petitioner is before this Court seeking for the aforesaid reliefs.
4. Whenever any application for survey or re-survey is submitted by a citizen, it would be required for the concerned authority to consider the same and pass necessary orders in accordance with law and if so, permissible to carry out survey and submit a report in relation to the said application after collecting the due amounts. None of them having been done, I pass the following:

ORDER

- i. The writ petition is allowed.



- ii. A mandamus is issued directing respondent No.5 to consider the representation of the petitioner dated 2.12.2024 at Annexure-E within a period of three weeks from today and if found suitable, to request the concerned Taluka surveyor or the ADLR, to carry out survey/re-survey upon the petitioner making due amounts thereof within a period of four months thereafter.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

LN
List No.: 2 Sl No.: 37