



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 24TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MS. JUSTICE JYOTI M
WRIT PETITION NO. 102877 OF 2021 (LB-RES)

BETWEEN:

ALTAF NAWAZ S/O ALHAJ MOHAMMED SAHEB KITTUR,
AGED ABOUT 35 YEARS,
OCC. SOCIAL WORKER,
R/O. MEHABOOB NAGAR,
BAGAR PETH, OLD HUBBALLI,
DIST. DHARWAD.

...PETITIONER

(BY SRI. VIJAY.S.CHINIWAR, ADVOCATE)

AND:

1. THE COMMISSIONER,
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
HUBBALLI-580020.
2. THE ASSISTANT COMMISSIONER,
ZONAL OFFICE-10,
HUBBALLI-DHARWAD MUNICIPAL CORPORATION,
HUBBALLI-580024.

...RESPONDENTS

(BY SRI.G.I.GACHCHINAMATH, ADVOCATE)

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.Vijay S.Chiniwar., counsel for the petitioner and Sri.G.I.Gachchinamath., counsel for the respondents have appeared in person.

2. The short facts are as follows:

The petitioner contends that the subject property bearing CTS No. 2243 was taken on lease by him in the year 1999 for a period of three years. Upon expiry of the lease period, the petitioner is stated to have sought permission from the competent authority to construct a shed, which was granted. Pursuant thereto, the petitioner paid the requisite fees and has been carrying on business therein.

It is further contended that a notification was issued by the authorities inviting applications from persons interested in purchasing such properties. In response thereto, the petitioner submitted a request expressing his intention to purchase the said property. The petitioner was thereafter called upon to furnish certain documents, which, according to him, have been duly submitted. However, no further action has been taken by the



authorities in considering his request. Under these circumstances, the petitioner is before this Court seeking a writ of mandamus directing the respondents not to demolish the shed and to consider his representation.

3. Counsel for the respective parties have urged several contentions.

4. Counsel for the petitioner submits that the petitioner has been carrying on business since 1999 and that his request to purchase the property has not been considered despite submission of the required documents.

5. Per contra, counsel for the respondents submits that the petitioner cannot compel the respondent-authorities to sell the property or execute a sale deed in his favor.

6. The rival submissions have been considered.

7. By way of the present writ petition, the petitioner seeks, in effect, a negative mandamus restraining the respondents from demolishing the shed and a direction to consider his request for purchase of the property. While the



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petitioner may be desirous of purchasing the property, no legal right is vested in him to compel the statutory authorities to sell the property or execute a sale deed in his favor. In the absence of any enforceable legal right, no mandamus can be issued. Accordingly, this Court finds no merit in the writ petition. The writ petition stands ***dismissed***.

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

RH
List No.: 1 Sl No.: 37