



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 201379 OF 2026 (LA-RES)

BETWEEN:

SMT. D. MANJULA W/O D. SATHYAREDDY,
AGE: 58 YEARS, OCC: HOUSEHOLD,
R/O DONGA RAMPUR VILLAGE,
TQ AND DIST RAICHUR,
THROUGH HER GPA HOLDER,
SRI. D. SATHYAREDDY S/O SHIVAREDDY,
AGE: 64 YEARS, OCC: AGRICULTURE,
R/O DONGA RAMPUR VILLAGE,
TQ AND DIST RAICHUR-584135.

...PETITIONER

Digitally signed
by SWETA
KULKARNI
Location: HIGH
COURT OF
KARNATAKA

(BY SRI. MAHANTESH PATIL, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
VIDHAN SOUDHA, BENGALURU-560001.
2. THE DEPUTY SECRETARY
TO GOVT. REVENUE DEPARMENT,
(LAND ACQUISITION) 3RD GATE,
5TH FLOOR M.S BUILDING,
DR. B. R. AMBEDKAR VIDHI,
BENGALURU-560010.



3. THE DEPUTY COMMISSIONER,
RAICHUR, DIST. RAICHUR- 584101.
4. THE EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT,
(GOVERNMENT OF KARNATAKA),
RAICHUR DIVISION, RAICHUR- 584101.

...RESPONDENTS

(BY SRI MALLIKARJUN SAHUKAR, AGA FOR R1 TO R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, A) ISSUE A WRIT IN THE NATURE OF CERTIORARI TO QUASH THE IMPUGNED ENDORSEMENT BEARING NO.ಸಂ.ಕಾನಿಇಂ:ಲೋಇ:ವಿರಾ:ಸಿಬ್ಬಂದಿ:2024-25/1020 DATED 01.07.2024 VIDE ANNEXURE-K ISSUED BY THE RESPONDENT NO.4. B) ISSUE A WRIT IN THE NATURE OF MANDAMUS, DIRECTING THE RESPONDENTS TO INITIATE THE ACQUISITION PROCEEDINGS AND PAY THE DAMAGES AND COMPENSATION BY CONSIDERING THE REPRESENTATION DATED 01.03.2025 VIDE ANNEXURE-L. C) ISSUE SUCH OTHER WRIT OR ORDER OR DIRECTION AS THIS HONOURABLE COURT DEEMS JUST AND PROPER IN CIRCUMSTANCES OF THE CASE AND ALLOW THIS WRIT PETITION.

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



CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

ORAL ORDER

1. Heard learned counsel for the petitioner and learned Additional Government Advocate for respondents.

2. The petitioner is before this Court under Articles 226 & 227 of the Constitution of India seeking for the following reliefs:

"A) Issue a writ in the nature of certiorari to quash the impugned endorsement bearing NO.ಸಂ.ಕಾನಿಇಂ:ಲೋಇ:ವಿಉಾ:ಸಿಬಿಂದಿ:2024-25/1020 dated 01.07.2024 vide Annexure-K issued by the respondent no.4.

B) Issue a writ in the nature of mandamus, directing the respondents to initiate the acquisition proceedings and pay the damages and compensation by considering the representation dated 01.03.2025 vide Annexure-L.

C) Issue such other writ or order or direction as this Honourable court deems just and proper in circumstances of the case and allow this writ petition".



3. Mother-in-law of the petitioner, Smt. Savaramma, who was the absolute owner in possession of the property bearing Survey No.12 measuring 2 acres 35 guntas, Survey No. 13 measuring 2 acres 30 guntas, and Survey No.16 measuring 00-27 guntas, had approached this Court in WP No.200697 of 2022 seeking a writ of mandamus directing the respondents therein to initiate acquisition proceedings in respect of the aforesaid land and pay damages / compensation to her. The said writ petition was disposed of by this Court by order dated 07.06.2022 with permission to the petitioner namely Smt. Savaramma to submit a fresh representation along with necessary documents seeking necessary relief from the respondents with regard to acquisition, payment of damages and compensation etc. in respect of her lands, which were utilized by the respondents for the purpose of forming a road. It appears that subsequently on 01.07.2024, vide order at Annexure - K, the representation submitted by Smt. Savaramma was rejected by respondent no.4.

4. Smt. Savaramma had therefore filed Civil Contempt Petition No.200236 of 2023 before this Court alleging that the



order passed by respondent no.4 in WP No.200697 of 2022 dated 07.06.2022 was not complied. In the said proceedings, the aforesaid order passed by respondent no.4 dated 01.07.2024 was produced contending that the order passed in WP No.200697 of 2022 was complied.

5. The Division Bench of this Court taking into consideration that Smt. Savaramma had not submitted representation to the State Government pursuant to the order passed in WP No.200697 of 2022, while disposing of CCC No.2000236 of 2023, permitted Smt. Savaramma to submit a fresh representation to the State Government. In paragraph nos.3 and 4 of the order passed in CCC No.200236 of 2023, the Division Bench of this Court had observed as follows:-

"3. However, we find that the representations are given to the Deputy Commissioner and the Executive Engineer of Raichur. The learned Single Judge has noticed in Para 5 of the order that in the second suit filed by the petitioner in O.S.No.28/2011 claiming the damages from the respondents, the suit was dismissed on the ground that the petitioner has an alternative remedy against the Government to seek compensation and damages. Despite such observations, representations are given only to the Deputy Commissioner and the Executive Engineer who do



not have the power to consider such representation seeking acquisition of land and for payment of compensation. Such power of eminent domain to acquire lands by issuing notification lies only with the State Government.

4. In that view of the matter, we close the contempt petition while granting liberty to the petitioner to give proper representation to the State Government for acquisition of the lands and for payment of compensation and damages”.

6. Since Smt. Savaramma had died during the pendency of the contempt proceedings, petitioner who is her daughter-in-law had submitted representation at Annexure - L dated 01.03.2025 before respondent no.1 herein with copies to the other respondents. It appears that considering the said representation, respondent no.1 has issued a communication on 05.03.2025 vide Annexure - P to respondent no.3 - Deputy Commissioner to take appropriate action on the representation of the petitioner at Annexure - L dated 01.03.2025. The grievance of the petitioner is that till date the concerned authorities have not acted upon her representation at Annexure - L dated 01.03.2025. It is under these circumstances, she is before this Court.



7. Learned Additional Government Advocate submits that the representation of the petitioner at Annexure - L shall be considered by the competent authorities in the light of the orders passed by this Court in WP No.200697 of 2022 disposed of on 07.06.2022 and the order passed by the Division Bench of this Court in CCC No.200236 of 2023 disposed of on 20.11.2024 and pass appropriate orders in accordance with law shall be passed, if some reasonable time is granted.

8. The said submission is placed on record.

9. In view of the aforesaid, the order at Annexure - K dated 01.07.2024 issued by respondent no.4 needs to be formally quashed while directing the respondents no.1 and 3 to consider the representation of the petitioner at Annexure - L dated 01.03.2025 afresh, in the light of the observation made herein above.

10. Accordingly, the following:-

ORDER

i) Writ petition is allowed.



ii) The impugned endorsement at Annexure - K dated 01.07.2024 issued by respondent no.4 is quashed and the respondent nos.1 and 3 are directed to consider the representation of the petitioner at Annexure -L dated 01.03.2025 and pass appropriate orders on the same in accordance with law, as expeditiously as possible, but not later than a period of four months from the date of receipt of copy of this order.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

NMS/List No.: 1 SI No.: 17