



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 24TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 201612 OF 2026 (LA-RES)

BETWEEN:

1. SAVITA W/O RAJKUMAR THAMBALLE
AGE: 46 YRS, OCC: AGRICULTURE
R/O VILLAGE SHEMBELLI,
TQ. AURAD-B, DIST. BIDAR
2. RAJKUMAR S/O VEERSHETTY THAMBALLE
AGE: 48 YRS, OCC: AGRICULTURE
R/O VILLAGE SHEMBELLI,
TQ. AURAD-B, DIST. BIDAR

...PETITIONERS

(BY SRI. MANURE ASHOK KUMAR.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
STATE RURAL DEVELOPMENT AGENCY/ PUBLIC
WORK DEPARTMENT, VIDHANA SOUDHA,
BANGALORE 560001
2. DEPUTY COMMISSIONER
DIST. BIDAR 585401





3. EXECUTIVE ENGINEER
PLANNING DEPARTMENT
BIDAR 585401
4. TAHSILDAR
AURAD-B, DIST. BIDAR

...RESPONDENTS

(BY SRI. SHESHADRI JAISHANKAR M., AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, A) THE WRIT OF MANDAMUS/DIRECTION MAY KINDLY BE ISSUED TO THE RESPONDENTS FOR CONSIDERATION OF ANNEXURE-D AND E MADE BY THE PETITIONER I.E 05-08-2025 AND 06-01-2026 RESPECTIVELY, BEFORE RESPONDENT NO.3 AND 2.B) PASS SUCH OTHER FURTHER ORDERS AS THIS HONOURABLE COURT DEEMS FIT AND PROPER IN THE FACTS AND THE CIRCUMSTANCES OF THE CASE.

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

Petitioners are before this Court under Articles 226 and 227 of the Constitution of India seeking following reliefs:

"a) The writ of mandamus/direction may kindly be issued to the respondents for consideration of Annexure-D and E made by the petitioner i.e 05-08-



2025 and 06-01-2026 respectively, before respondent No.3 and 2.

b) Pass such other further orders as this honourable Court deems fit and proper in the facts and the circumstances of the case"

2. Heard learned counsel for the petitioner and learned Additional Government Advocate, who is directed to take notice for respondent Nos.1 to 4.

3. It is the case of the petitioners that they are the joint owners in possession of land bearing Sy.No.46/2 measuring 05 acres 18 guntas of Shembelli village, Tq. Aurad-B, Dist. Bidar. According to the petitioners, a portion of the aforesaid land has been utilized by the respondents for the purpose of formation of concrete road from Shembelli to Bidar without acquiring the said land and without paying any compensation. Under these circumstances, petitioners submitted representations at Annexures-D and E dated 05.08.2025 and 06.01.2026 before respondent Nos.2 and 3 with a prayer to pay



compensation. Grievance of the petitioners is that, till date said representations are not considered.

4. Learned Additional Government Advocate appearing for the respondents submits that respondent Nos.2 and 3 will consider the representations of the petitioners at Annexures-D and E dated 05.08.2025 and 06.01.2026 after securing necessary records and also survey sketch of the petitioners' property and thereafter, appropriate orders shall be passed in accordance with law.

5. The said submissions are taken on record.

6. Accordingly, the following:

ORDER

- i. Writ petition is ***allowed in part.***
- ii. A direction is issued to the respondent Nos.2 and 3 to consider representations of the petitioners at Annexures-D and E dated 05.08.2025 and 06.01.2026 respectively and



pass appropriate orders on the same in accordance with law, after perusal of the documents of the petitioners and also the survey sketch of the properties to verify as to whether the petitioners' land has actually been utilized for the purpose of formation of road.

- iii. The said exercise shall be done as expeditiously as possible, but not later than a period of six months from the date of receipt of copy of this order.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE