



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 25TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 201621 OF 2026 (LA-RES)

BETWEEN:

1. KURSHID PATEL S/O SAHEB PATEL,
AGE 44 YEARS, OCC AGRICULTURE,
R/O HARALAPANNAHUDA,
TALUK AND DIST RAICHUR 584116
AND R/O NO.#255, 4TH WARD, JANATHA COLONY,
JALHALLI VILLAGE, TALUK DEVADURGA,
DIST RAICHUR 584116.
2. YUSUF PATEL S/O SAHEB PATEL
AGE 42 YEARS, OCC AGRICULTURE,
R/O HARALAPANNAHUDA
TALUK AND DIST RAICHUR 584116
AND R/O NO.#255, 4TH WARD,
JANATHA COLONY, JALHALLI VILLAGE,
TALUK DEVADURGA, DIST RAICHUR 584116.

...PETITIONERS

(BY SRI. MAHANTESH PATIL, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
THROUGH PRINCIPAL SECRETARY,
DEPARTMENT OF PANCHAYAT RAJ AND
RURAL DEVELOPMENT, VIKAS SOUDHA,
BENGALURU 560001.





2. THE DEPUTY COMMISSIONER,
RAICHUR, DIST RAICHUR 584101.
3. THE CHIEF EXECUTIVE OFFICER,
ZILLA PANCHAYAT RAICHUR,
DIST RAICHUR 584101.
4. THE EXECUTIVE OFFICER,
TALUK PANCHAYAT RAICHUR,
DIST RAICHUR 584101.
5. THE PANCHAYAT DEVELOPMENT OFFICER,
JAGIRA VENKTAPURA GRAM PANCHAYAT,
TALUK AND DIST RAICHUR 584134.

...RESPONDENTS

(BY SRI. MALLIKARJUN SAHUKAR, AGA FOR R1 AND 2;
SRI GOURISH S.KHASHAMPUR, ADVOCATE FOR R3 TO 5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO A) ISSUE A WRIT IN THE NATURE OF MANDAMUS, DIRECTING THE RESPONDENTS NOT TO CONSTRUCT THE ROAD IN THE PLOT BEARING PROPERTY NO.48 (152300402600800053), MEASURING EAST-WEST 11.58 MTRS, NORTH-SOUTH 17.60 MTRS, TOTALLY MEASURING 203.80 MTRS INCLUDING BUILT UP AREA OF OLD RESIDENTIAL HOUSE, SITUATED AT HARALAPPANAHUDA, TALUK AND DIST. RAICHUR, AFTER FOLLOWING DUE PROCESS OF LAW INITIATING ACQUISITION PROCEEDINGS AS PER RFCTLARR ACT 2013 BY CONSIDERING THE REPRESENTATIONS DATED 02.05.2025, 12.05.2025, 01.08.2025 AND 26.08.2025 VIDE ANNEXURE-G, G1, G2 AND G3 AND LEGAL NOTICE DATED 20.02.2026 VIDE ANNEXURE-H, IN THE INTEREST OF JUSTICE AND EQUITY; B) PASS ANY SUCH ORDERS OR RELIEF AS THIS HONOURABLE COURT DEEMS FIT THE FACTS AND CIRCUMSTANCES OF THE CASE, IN THE INTEREST OF JUSTICE AND EQUITY.

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 who are the owners of the residential plot bearing No.48, measuring 17.60 meters north-south and 11-58 meters east-west, totally measuring 203.80 meters consisting of a residential house situated at Aralappana Huda village, Raichur Taluk are before this Court seeking for the following reliefs:

- a) Issue a writ in the nature of mandamus, directing the respondents not to construct the road in the plot bearing property No.48 (152300402600800053), measuring east-west 11.58 mtrs, north-south 17.60 mtrs, totally measuring 203.80 mtrs including built up area of old residential house, situated at Haralappanahuda, Taluk and Dist. Raichur, after following due process of law initiating acquisition proceedings as per RFCTLARR Act 2013 by considering the representations dated 02.05.2025, 12.05.2025, 01.08.2025 and 26.08.2025 vide Annexure-G, G1, G2 AND G3 and legal notice dated 20.02.2026 vide Annexure-H, in the interest of justice and equity;
- b) Pass any such orders or relief as this Hon'ble Court deems fit the facts and circumstances of the case, in the interest of justice and equity.



2. Heard the learned counsel for the parties.

3. It is the case of the petitioners that the respondent – Grampanchayat has been laying pipeline and also forming road adjacent to the property of the petitioners and petitioners apprehend that the respondent –authorities are likely to form road, utilizing the petitioners' property. It is under these circumstances the petitioners have approached the respondents and submitted representations per Annexure-G, G1, G2 and G3 dated 02.05.2025, 12.05.2025, 01.08.2025 and 26.08.2025 as respectively and also got issued a legal notice on 20.02.2026 as per Annexure-H. Since, the respondents have not responded to the said representations and the legal notice, the petitioners are before this Court.

4. Learned counsel Sri Gourish S.Khashampur appearing on behalf of respondent Nos.3 to 5 submits that the petitioners have approached this Court only under an apprehension, it is not the case of the petitioners that



respondents have forcibly or illegally utilized their land for the purpose of formation of road or for laying a pipeline and therefore they are not entitled for the relief sought for in this petition.

5. Be that as it may, the petitioners have submitted certain representations before the competent authorities, in order to protect their property. Therefore, I am of the opinion that, if the petition is disposed of directing the 5th respondent to consider the representation of the petitioner at Annexure-G3 dated 26.08.2025, ends of justice would be served. Accordingly, following order :

- i) Writ petition is ***disposed of***.
- ii) 5th respondent is directed to consider the representation of the petitioner at Annexure-G3 dated 26.08.2025 and pass appropriate orders on the same in accordance with law as expeditiously as possible but not later than a period of three



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months from the date of receipt of such
application.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

SN
List No.: 1 SI No.: 7