



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 5TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO.201870 OF 2026 (LB-RES)

BETWEEN:

SRI. MOHAMMED ISHAQ
S/O MOHAMMED MASHAQ,
AGED ABOUT 41 YEARS,
OCC: AGRICULTURE AND BUSINESS,
R/O 11-1041/34/J8/8, QADEER CHOWK,
MSK MILL, KALABURAGI.

...PETITIONER

(BY SRI. GANESH SUBHASHCHANDRA KALBURGI, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
ROOM NO.320, 3RD FLOOR,
VIDHANASOUDHA, BENGALURU-560 001.
2. DEPUTY COMMISSIONER,
KALABURAGI – 585 102.
3. ASSISTANT COMMISSIONER,
KALABURAGI – 585 102.
4. THE THASILDAR KALABURAGI.
KALABURAGI – 585 102.

...RESPONDENTS

(BY SRI. VEERANAGOUDA M.BIRADAR, AGA)





THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE APPROPRIATE WRIT MORE SO IN THE NATURE OF CERTIORARI AND MANDAMUS AND GRANT FOLLOWING RELIEFS:

I) QUASH THE NOTICE DATED 19.01.2026 ISSUED BY RESPONDENT NO.4 IN FILE NO.KM/BHOOMI/159/2024-25, THE COPY OF WHICH IS AT ANNEXURE-A.

II) DIRECT THE RESPONDENTS HEREIN NOT TO UTILIZE THE PROPERTY OF THE PETITIONER I.E., MUNICIPAL NO.11-1041/34/J8/8 OF PETITIONER SITUATED AT QADEER CHOWK MSK MILL, KALABURAGI, WITHOUT FOLLOWING DUE PROCESS OF LAW.

III) ISSUE DIRECTION TO THE RESPONDENT NO.4 TO CONSIDER THE REPLY DATED 20.01.2026 AND 02.05.2026, THE COPY OF WHICH IS AT ANNEXURE-B & D, RESPECTIVELY AND ETC.

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

In this writ petition, petitioner is assailing the notice dated 19.01.2026 (Annexure-A) issued by respondent No.4 *inter alia*, sought for direction to the respondents not to utilize the property belonging to the petitioner without following the due process of law.

2. Having taken note of the submission made by the learned counsel appearing for the petitioner and also the impugned order at Annexure-A, wherein, respondent No.4 has stated that the petitioner herein has encroached



the land belonging to the respondent authorities and further as the petitioner herein has filed the reply dated 20.01.2026 (Annexure-B), I am of the view that, the same has to be considered by respondent No.4 in accordance with law.

3. It is also open for the petitioner herein to make one more comprehensive reply to the impugned notice at Annexure-A within two weeks from the date of receipt of copy of this order. Thereafter, respondent No.4 shall consider the same and take decision in the matter in accordance with law. In the meanwhile, the respondents cannot take any precipitative action against the petitioner till the consideration of the reply that may be made by the petitioner.

4. With this observation, the writ petition is disposed of.

Sd/-
(E.S.INDIRESH)
JUDGE