



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 6TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

WRIT PETITION NO.202322 OF 2022 (LA-RES)

BETWEEN:

1. KHAMAR BEGUM
W/O LATE MD. SALEEMUDDIN,
AGE: 55 YEARS, OCC: AGRICULTURE,
R/O MANIYAR TALEEM,
BIDAR TQ. DIST BIDAR.
2. MOHD. IQBALUDDIN
S/O LATE MOHD. SALEEMUDDIN,
AGE: 35 YEARS, OCC: AGRICULTURE,
R/O H.NO.5-4-83 MANIYAR TALEEM BIDAR,
DIST. BIDAR.

...PETITIONERS

(BY SRI. SHIVAKUMAR KALLOOR, ADVOCATE)

Digitally signed
by RENUKA
Location: HIGH
COURT OF
KARNATAKA

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY PRINCIPAL SECRETARY,
DEPARTMENT OF REVENUE,
M.S BUILDING, BANGALORE-560001.
2. THE DEPUTY COMMISSIONER,
BIDAR-585401.
3. THE ASSISTANT COMMISSIONER
SPECIAL LAND ACQUISITION OFFICER,
BIDAR-585401.



4. BIDAR URBAN DEVELOPMENT AUTHORITY
BIDAR-585401.
5. THE COMMISSIONER
CMC BIDAR-585401.

...RESPONDENTS

(BY SMT. ARCHANA P. TIWARI, AAG A/W
SRI. JAISHANKAR SHESHADRI, AGA FOR R1 TO R3;
SRI. P. S. MALIPATIL, ADVOCATE FOR R4;
SRI.GOURISH S.KHASHAMPUR, ADVOCATE FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, A) ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENTS TO CONSIDER THE REPRESENTATION DATED 14.10.2020 AS PER ANNEXURE-B AND DATED 17.03.2022 ANNEXURE G AND H.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL ORDER

Heard learned counsel for the petitioner, learned Additional Advocate General along with learned Additional Government Advocate for respondent Nos.1 to 3, learned counsel for respondent No.5 and learned counsel Sri P.S. Malipatil, who accepts notice for respondent No.4 today.

2. This petition is filed seeking following reliefs:



- a) Issue a writ of mandamus directing the respondents to consider the representation dated 14.10.2020 as per Annexure-B and dated 17.03.2022 Annexure-G and H, in ends of justice and equity.*
- b) Issue any writ order or direction as this Hon'ble Court deems fit in the circumstances of the case, in the ends of justice.*

3. The petitioners are the owners of land in Sy.No.202 measuring 07 acres 15 guntas situated at Astur village, taluk and district Bidar and their names are appearing in the revenue records as owners and in possession. It is contended that respondent Nos.2 to 5 without any legal rights and authority have utilized the land of the petitioners for formation of the ring road without initiating acquisition proceedings and without paying compensation. The petitioners earlier approached this Court in W.P.No.205848-49/2019 and vide order dated 13.08.2020, this Court directed the respondents to consider the representations of the petitioners within a



period of one month from the date of receipt of certified copy of that order. However, the respondents have not done so. Therefore, the petitioners submitted representations dated 14.10.2020 vide Annexure-B and dated 17.03.2022 vide Annexures-G and H to the respondents. However, the same are not considered till today, hence, the petitioners are once again before this Court seeking the aforesaid reliefs.

4. Learned Additional Advocate General appearing for the State along with learned Additional Government Advocate, who is present before the Court submit that the representations so made would be considered in accordance with law keeping in mind the similar compensations, if any, awarded.

5. Learned counsel for respondent No.4, who is present through video conference, submits that if a fresh representation is made, it would be considered.



6. It is seen that in these matters of acquisitions, time and again, the citizens are forced to approach this Court for two reasons, viz., firstly, the State or the beneficiary acquires the land by following the process but do not pay the compensation and secondly, utilises the land without conducting acquisition proceedings and without paying compensation. Some defence is taken that the notice is not given to the land loser. A citizen is not expected to know the legal intricacies, as every citizen is not a law graduate. Of course ignorance is no bliss but legal intricacies are different from general knowledge. Once a representation is made to the State, it becomes the duty of the State to consider the representation and pass suitable orders. If the State is of the opinion that the beneficiary is another party other than itself, it becomes the duty of the State to forward a copy of the said representation to the beneficiary as well, so that no hardship and difficulty would be caused to the citizen whose property is acquired or utilised which is his



constitutional right to enjoy the property as enumerated under Article 300A of the Constitution of India.

7. Under the circumstances, this Court hopes that in all these cases where lands are acquired and all cases where lands are utilized but not acquired, when a representation is made, the State shall consider it pragmatically rather than taking it technically on the ground that no representation is made to the authority or beneficiary.

8. In view of the same, this Court proceed to pass the following:

ORDER

- (a) The Writ Petition is allowed.
- (b) A writ of mandamus is issued directing Nos.3 and 4 to consider the representation dated 14.10.2020 vide Annexure – B and representations dated 17.03.2022 vide



Annexures – G and H within two weeks from the date of receipt of a copy of the order.

- (c) The petitioner shall file a fresh representation by annexing the copy of the earlier representations to respondent No.4 within two weeks from today.

Ordered accordingly.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

VNR/RSP
LIST NO.: 2 SL NO.: 13
CT: SI