



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 1ST DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO.202329 OF 2026 (LB-RES)

BETWEEN:

NAMADEV S/O ARJUN KALE,
AGE: 66 YEARS, OCC: RTD. KSRTC EMPLOYEE,
R/O RAHIM NAGAR,
TQ. AND DIST. VIJAYAPURA.

...PETITIONER

(BY SRI. HARSHAVARDHAN R. MALIPATIL, ADVOCATE)

AND:

1. THE CITY CORPORATION
BY ITS COMMISSIONER
VIJAYAPURA-586101.
2. THE COMMISSIONER,
VIJAYAPURA DEVELOPMENT AUTHORITY
VIJAYAPURA-586101.
3. THE DEPUTY COMMISSIONER
VIJAYAPURA-586101.
4. THE ASSISTANT COMMISSIONER,
VIJAYAPURA-586101.
5. THE TAHASILDAR,
VIJAYAPURA-586101.
6. THE SUPERINTENDENT OF POLICE,
VIJAYAPURA-586101.





...RESPONDENTS

(BY SRI. SACHIN M. MAHAJAN, ADVOCATE FOR R1;
SRI. S. S. HALALLI, ADVOCATE FOR R2;
SRI. VEERANAGOUDA MALIPATIL, AGA FOR R3 TO R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO 1) ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT NO.1 TO CONSIDER THE REPRESENTATION OF THE PETITIONER DATED 22.05.2026 VIDE ANNEXURE-D, 2) ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT NO.2 TO CONSIDER THE REPRESENTATION OF THE PETITIONER DATED 22.05.2026 VIDE ANNEXURE-D1, 3) ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT NO.3 TO CONSIDER THE REPRESENTATION OF THE PETITIONER DATED 22.05.2026 VIDE ANNEXURE-D2, 4) ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT NO.4 TO CONSIDER THE REPRESENTATION OF THE PETITIONER DATED 25.05.2026 VIDE ANNEXURE-D3, 5) ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT NO.5 TO CONSIDER THE REPRESENTATION OF THE PETITIONER DATED 25.05.2026 VIDE ANNEXURE-D4, 6) ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT NO.6 TO CONSIDER THE REPRESENTATION OF THE PETITIONER DATED 26.05.2026 VIDE ANNEXURE-D5, 7) ISSUE ANY OTHER ORDER, DIRECTION OR WRIT AS THIS HON'BLE COURT DEEMED FIT IN THE FACTS AND CIRCUMSTANCES OF THE CASE AS STATED ABOVE WITH COSTS 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.R.KRISHNA KUMAR

ORAL ORDER

In this petition, petitioners seeks the following reliefs:

"1) Issue a writ of mandamus directing the Respondent No.1 to consider the representation of the Petitioner dated 22-05-2026 vide Annexure-D, in the interest of justice and equity.

2) Issue a writ of mandamus directing the Respondent No.2 to consider the representation of the Petitioner dated 22-05-2026 vide Annexure-D1, in the interest of justice and equity.

3) Issue a writ of mandamus directing the Respondent No.3 to consider the representation of the Petitioner dated 22-05-2026 vide Annexure-D2, in the interest of justice and equity.

4) Issue a writ of mandamus directing the Respondent No.4 to consider the representation of the Petitioner dated 25-05-2026 vide Annexure-D3, in the interest of justice and equity.



5) Issue a writ of mandamus directing the Respondent No.5 to consider the representation of the Petitioner dated 25-05-2026 vide Annexure-D4, in the interest of justice and equity.

6) Issue a writ of mandamus directing the Respondent No.6 to consider the representation of the Petitioner dated 26-05-2026 vide Annexure-D5, in the interest of justice and equity.

7) Issue any other order, direction or writ as this Hon'ble Court deemed fit in the facts and circumstances of the case as stated above with costs in the interest of justice and equity.

2. A Perusal of the material on record will indicate that there was civil litigation between the petitioners and Sri. Vaijanath Dindayya Karpurmath and others, in RSA No.45/2023 C/w RSA No.134/2003, which was disposed of by this Court, vide final Judgment and decree dated 20.08.2016 in favour of the petitioner and his family members. The unsuccessful appellants in the aforesaid appeals have approached the Apex Court in SLP (C) No(s).38199-38200/2016, in which there is an interim



order of *status quo* dated 05.05.2026 passed by the Apex Court.

3. It is the grievance of the petitioner that despite the aforesaid order of *status quo* and the representation submitted by the petitioner to the respondents, the respondents are not taking any steps to stop any construction activity or issuing sanction plan etc., which would be in violation of the aforesaid orders passed by the Apex Court and as such petitioner is before this Court by way of the present petition.

4. Learned counsel for the respondents submits that the respondents are not parties to the aforesaid proceedings before the Apex Court and it is always open for the petitioner to take before such remedies as available in law for any violation of the aforesaid order of *status quo* passed by the Apex Court.

5. A perusal of the material on record will indicate that the respondents herein are not parties to the



aforesaid proceedings, which are pending before the Apex Court in which there is an order of status quo as stated supra which is obviously restricted to the parties before the Apex Court and not the respondents herein.

6. Under these circumstances, I deem it just and appropriate to dispose of this petition reserving liberty in favour of the petitioner to take recourse to such remedies as available in law including taking legal action as against the parties to the proceedings before the Apex Court or any other third parties by instituting appropriate proceedings in accordance with law.

7. Subject to the above directions and liberty reserved in favour of the petitioner, petition stands ***disposed of.***

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE

SMP
LIST NO.: 1 SL NO.: 10
CT:SI