



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 23RD DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 202564 OF 2024 (GM-KHB)

BETWEEN:

RAVISHANKAR S/O APPANNA KULALI,
AGE: 43 YEARS,
OCCUPATION: CONTRACTOR,
RESIDENCE OF GOBBUR (B),
TALUKA AFZALPUR,
DISTRICT KALABURAGI-585265

...PETITIONER

(BY SRI SHRAVANKUMAR GADIGAYYA MATH, ADVOCATE FOR
SRI MAHANTESH PATIL, ADVOCATE)

AND:

1. THE COMMISSIONER
CITY CORPORATION,
KALABURAGI-585101.
2. THE ASSISTANT EXECUTIVE ENGINEER
KARNATAKA HOUSING BOARD,
2ND FLOOR, KHB COMPLEX, BADEPUR,
3RD PHASE, RING ROAD,
KALABURAGI-585103

...RESPONDENTS

(BY SRI D.P. AMBEKAR, ADVOCATE FOR R1-THROUGH VC;
SRI SHIVAKUMAR MALIPATIL, ADVOCATE FOR R2)





THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) ISSUE A WRIT IN THE NATURE OF MANDAMUS, DIRECTING THE RESPONDENT NO.1 TO IMPLEMENT THE DIRECTIONS IN THE LETTER DATED 26.11.2022 VIDE ANNEXURE-D ISSUED BY THE RESPONDENT NO.2 BY CONSIDERING THE REPRESENTATIONS DATED 02.08.2022 AND 02.11.2022 MADE BY THE PETITIONER VIDE ANNEXURE-E, E1 AND E2 IN THE INTEREST OF JUSTICE AND EQUITY; OR ISSUE A WRIT IN THE NATURE OF MANDAMUS OR DIRECTION DIRECTING THE RESPONDENTS TO DEMOLISH THE COMPOUND WALL OF PARK NO.6 TOWARDS EAST-WEST SIDE AND MAINTAIN PATHWAY AS PER THE LAYOUT MAP VIDE ANNEXURE-A AT AKKAMAHADEVI COLONY, EAST WING KALABURGI, IN THE INTEREST OF JUSTICE AND EQUITY; B) ISSUE SUCH OTHER WRIT OR ORDER OR DIRECTION AS THIS COURT DEEMS JUST AND PROPER IN CIRCUMSTANCES OF THE CASE AND ALLOW THIS WRIT PETITION, IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

ORAL ORDER

This Writ Petition under Articles 226 and 227 of the Constitution of India is filed seeking for the following reliefs:

"a) Issue a writ in the nature of mandamus, directing the respondent no.1 to implement the directions in the letter dated 26.11.2022 vide Annexure-D issued by the respondent no.2 by considering the representations dated 02.08.2022 and 02.11.2022



made by the petitioner vide Annexure-E, E1 and E2 in the interest of justice and equity; or issue a writ in the nature of mandamus or direction directing the respondents to demolish the compound wall of park no.6 towards east-west side and maintain pathway as per the layout map vide Annexure-A at Akkamahadevi Colony, East Wing Kalaburgi, in the interest of justice and equity;

b) Issue such other writ or order or direction as this court deems just and proper in circumstances of the case and allow this writ petition, in the interest of justice and equity.

2. Heard the learned counsel for the parties.

3. It is the case of the petitioner that he along with one Basanna S/o eranna had jointly purchased site No.41/ODD/HIG-I, E/W situated at Biddapur old Airport land, Akkamahadevi Colony, Kalaburagi totally measuring 470 sq.mts. and has been in possession and enjoyment of the said land. According to the petitioner, respondent No.1 has constructed a compound wall for its park, encroaching the pathway and it is under these circumstances petitioner has submitted representations at Annexures-E, E1 and E2 dated 02.08.2022 and 02.11.2022 respectively. Grievance of the petitioner is that the said representations have not been considered



and action has not been taken to demolish the compound wall which has been put up encroaching the pathway.

4. Learned counsel Sri D.P. Ambekar, appearing on behalf of respondent No.1, submits that if some reasonable time is granted the representations of the petitioner at Annexures-E, E1 and E2 shall be considered and appropriate orders in accordance with law shall be passed.

5. The said submission is placed on record.

6. The Writ Petition is ***partly allowed*** and a direction is issued to respondent No.1 to consider the representations of the petitioner at Annexures-E, E1 and E2 dated 02.08.2022 and 02.11.2022 respectively and pass appropriate orders on the same in accordance with law as expeditiously as possible but not later than a period of ***three months*** from the date of receipt of copy of this order.



Petitioner is at liberty to submit a fresh application with all concerned documents which shall be considered by respondent No.1 after hearing all the parties concerned.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

SWK
List No.: 2 Sl No.: 18