



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 9TH DAY OF JULY, 2026

BEFORE

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

WRIT PETITION NO.203113 OF 2025 (LB-RES)

BETWEEN:

1. GIRISH S/O ROHIDAS YALAMALLE
AGED ABOUT 44 YEARS, OCC: GOVT. TEACHER
H NO 118, RENUKA NAGAR, GOKUL ROAD,
HUBBALLI-580030.
2. DR. VISHWANATH
S/O ROHIDAS YALAMALLE,
AGED ABOUT 42 YEARS, OCC: GOVT. EMPLOYEE
H.NO.118, RENUKA NAGAR, GOKUL ROAD,
HUBBALLI-580030.

...PETITIONERS

(BY SRI. ABDUL MUQHTADIR, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKASA SOUDHA,
DR. B. R. AMBEDKAR VEEDHI,
BANGALORE-560001.
2. VIJAYAPUR URBAN DEVELOPMENT AUTHORITY
REPRESENTED BY ITS COMMISSIONER
BASAVAN BAGEWADI ROAD,
VIJAYAPUR-586109.





3. VIJAYAPURA CITY CORPORATION
REPRESENTED BY ITS COMMISSIONER
BAGALKOT ROAD, JALA NAGAR,
VIJAYAPURA-586109.
4. THE EXECUTIVE ENGINEER
NATIONAL HIGHWAY DIVISION PWD
VIJAYAPURA-586104.

...RESPONDENTS

(BY SRI. VEERANAGOUDA MALIPATIL, AGA FOR R1 & R4;
SRI. SACHIN M. MAHAJAN, ADVOCATE FOR R3;
SRI. S. S. HALALLI, ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE AN APPROPRIATE WRIT DIRECTION/S OR ORDER/S A) ISSUE AN APPROPRIATE ORDER/DIRECTION/ WRIT IN NATURE OF CERTIORARI TO QUASH IMPUGNED NOTICE BEARING NO. ನಪ್ರಾವಿ/ಮ.ಯೋ(ಪ-2) ರಸ್ತೆ/ಅತಿಕ್ರಮಣ/2024-25/131 DATED 25-04-2025 PASSED BY R-2 VIDE ANNEXURE-F, B) ISSUE AN APPROPRIATE ORDER/DIRECTION/WRIT IN NATURE OF MANDAMUS DIRECTING THE RESPONDENT NO.2 AND 4 TO CONSIDER THE REPRESENTATION DATED 18-08-2025 SUBMITTED ON 21-08-2025 VIDE ANNEXURE-G AND H RESPECTIVELY. C) ISSUE AN APPROPRIATE ORDER/DIRECTION/ WRIT IN NATURE OF MANDAMUS DIRECTING THE RESPONDENT NO.2 AND 4 TO CONDUCT A FRESH SURVEY AS PER MASTER PLAN AND IDENTIFY PROPER LAND FOR ACQUISITION FOR THE PURPOSE OF LAYING 18M ROAD D) ISSUE AN APPROPRIATE ORDER/ DIRECTION/ WRIT I NATURE OF MANDAMUS DIRECTING THE RESPONDENT NO.2 AND 4 TO INITIATE LAND ACQUISITION PROCESS UNDER SECTION 69 OF THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION REHABILITATION AND RESETTLEMENT ACT, 2013.E) GRANT COSTS. F) SUCH OTHER RELIEF/S AS THIS HONOURABLE COURT MAY DEEMS FIT TO GRANT 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, the petitioners have sought for the following reliefs:

"a) *Issue an appropriate order/ direction/ writ in nature of certiorari to quash impugned notice bearing No. ನವಾಡಿ/ಮ.ಯೋ(ಪ-2)ರಸ್ತೆ/ಅತಿಕ್ರಮಣ/2024-25/131 dated 25.04.2025 passed by R2 vide **Anenxure-F.***

b) *Issue an appropriate order/ direction/ writ in nature of mandamus directing the Respondent No.2 and 4 to consider the representation dated 18.08.2025 submitted on 21.08.2025 vide **Annexure-G and H respectively.***

c) *Issue an appropriate order/ direction/ writ in nature of mandamus directing the Respondent No.2 and 4 to conduct a fresh survey as per Master plan and identity proper land for acquisition for the purpose of laying 18m road.*

d) *Issue an appropriate order/ direction/ writ in nature of mandamus directing the Respondent No.2 and 4 to initiate land acquisition process under section 69 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013.*

e) *Grant costs.*



f) Such other relief/s as this Hon'ble Court may deem fit to grant in the circumstances of the case and in the interest of justice and equity .

2. Heard learned counsel for the petitioners and Sri.Veeranagouda Malipatil, learned Additional Government Advocate for the respondents No.1 & 4, Sri. Sachin Mahajan, learned counsel for respondent No.3 and Sri. S.S.Haalli, learned counsel for respondent No.2 and perused the material on record.

3. It is also submitted that in addition to reiterating the various contentions urged in the petition and referring to the material on record, learned counsel for the petitioners invited my attention to the impugned notice at Annexure-F dated 25.04.2025 in order to contend that despite the petitioners submitting replies at Annexure-G dated 18.08.2025 and Annexure-H dated 18.08.2025 to the respondents, the respondents are proceeding further and attempting to take coercive/precipitative steps against the petitioners in



respect of the subject land and as such petitioners are before this Court by way of the present petition.

4. In support of his submissions, he places reliance upon the following judgments.

- i) WP No.55716/2017 and connected matters, dated 04.01.2024.
- ii) WP No.203116/2025, dated 05.02.2026.

5. Per contra, learned counsel for the respondent submits if reasonable time is granted, the respondents No.2 and 3 would consider the reply submitted by the petitioners and proceed further in accordance with law.

6. In addition to any further correspondence that may have taken place between the respondent No.2 and respondent No.3 and the petitioners, the respondents would provide sufficient and reasonable opportunity to the petitioners and proceed further in accordance with law.

7. In view of the aforesaid facts and circumstances and submissions made by both sides, I deem it just and



appropriate to dispose of this petition by issuing certain directions.

8. In the result, I proceed to pass the following:

ORDER

- i) Petition is hereby disposed of.
- ii) The petitioners shall appear before the concerned respondents No.2 and 3 on 03.08.2026 without awaiting further notice from the respondents No.2 and 3.
- iii) Liberty is reserved in favour of the petitioners to submit additional replies, pleadings, representations, objections, documents etc. before the respondents No.2 and 3, who shall consider the same and proceed further and take appropriate decisions/ pass appropriate orders after providing sufficient and reasonable opportunity to the petitioners and in accordance with law.



iv) It is further directed that till the both respondents No.2 and 3 take appropriate decisions/ pass appropriate orders as stated supra, parties are directed to maintain status-quo in all respects as on today in relation to the subject property.

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

SMP
List No.: 1 SI No.: 10
CT:SI