



**IN THE HIGH COURT OF KARNATAKA
KALABURAGI BENCH**

**DATED THIS THE 3RD DAY OF FEBRUARY, 2026
BEFORE**

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

WRIT PETITION NO. 204014 OF 2025 (KLR-RR-SUR)

BETWEEN:

PRABHU S/O GOVINDAPPA AGASAR
@ MADIWALAR,
AGED ABOUT 48 YEARS, OCC: AGRICULTURE,
R/O BASARAKOD, TQ. MUDDEBIHAL,
DIST. VIJAYAPUR.

...PETITIONER

(BY SMT. REKHA PATIL, ADVOCATE FOR
SRI G.G.CHAGASHETTI, ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER
VIJAYAPUR, DIST. VIJAYAPUR-586101.
2. THE ASST. COMMISSIONER
MUDDEBIHAL, TQ. MUDDEBIHAL,
DIST. VIJAYAPUR-586101.
3. THE TAHASILDAR,
MUDDEBIHAL, TQ. MUDDEBIHAL,
DIST. VIJAYAPUR-586101.

...RESPONDENTS

(BY SRI VIRANAGOUDA M. BIRADAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT
RESPONDENT NO.3 TO CONSIDER THE REPRESENTATION DATED
6.9.2025 VIDE ANNEXURE-C, SUBMITTED BY THE PETITIONER AND
TO PASS APPROPRIATE ORDERS IN ACCORDANCE WITH LAW.

Digitally signed
by RENUKA
Location: HIGH
COURT OF
KARNATAKA



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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

ORAL ORDER

Learned Additional Government Advocate is directed
to take notice for the respondents.

2. This petition is filed by the petitioner seeking
the following reliefs:

"a) Issue a writ, order or direction in the nature of writ of Mandamus, directing the respondent No.3 to consider the representation dated 6.9.2025 vide Annexure-C submitted by the petitioner and to pass appropriate orders in accordance with law.

b) Pass such other order or direction, as this Court deems fit in the circumstance of the case."

3. It is the contention of the petitioner that his father was a tenant in occupation of land bearing Survey No.125, measuring 13 acres 15 guntas and Survey No.126 measuring 13 acres 18 guntas situated at Basarkod Village, Taluk: Muddebihal, District: Vijayapur. Further, the father of the petitioner was cultivating the land as a



tenant as on 01.03.1974. Hence, he filed an application in Form No.7 for grant of occupancy rights. Same came to be allowed and occupancy right was granted in favour of father of the petitioner by the Land Tribunal. It is further contended that the order of the Land Tribunal has attained finality. Tribunal has issued Form No.10 and registered the name of the father of the petitioner as occupant as contemplated under Section 55(1) of the Karnataka Land Reforms Act, 1961. It is further contended that the father of petitioner being an illiterate rustic villager, had made several requests to the Tahasildar to enter his name, but the same was not effected, despite making several representations. Hence, finally, the petitioner made a written representation on 06.09.2025 to effect the mutation entry in his name, contending that petitioner is in physical possession and enjoyment of the land, as a tenant prior to coming into force of the Act. He contends that the Land Tribunal has already granted occupancy rights and only the mutation entries have to be effected.



But, the same is not done by the respondent/State. Hence, the present petition is filed left with no alternative.

4. Per contra, learned Additional Government Advocate representing the State contends that admittedly the order of the Land Tribunal is of the year 1980. Application is said to have been filed somewhere in the year 2025. In the meanwhile, what has happened is not divulged in this petition by the petitioner. However, since the petitioner is seeking for consideration of the representation, the same would be considered in accordance with law.

5. In view of the submissions made by the learned Additional Government Advocate, this petition deserves to be allowed.

6. Accordingly, I pass the following:

ORDER

i. The petition is ***allowed***.



- ii. A writ of mandamus is issued directing respondent No.3 to consider the representation dated 06.09.2025 vide Annexure-C and pass suitable orders in accordance with law, within a period of four weeks from the date of receipt of certified copy of this order.

Sd/-
(PRADEEP SINGH YERUR)
JUDGE

NB
List No.: 1 Sl No.: 10
CT: MH