



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 226769 OF 2020 (GM-PP)

BETWEEN:

THE MUNICIPAL COMMISSIONER,
CMC SHAHAPUR, TQ. SHAHAPUR,
DIST .YADGIR- 585223.

...PETITIONER

(BY SRI NARENDRA M. BETTAD, ADVOCATE FOR
SRI. CHAITANYAKUMAR CHANDRIKI., ADVOCATE)

AND:

ABDULLA S/O SOFISAB,
DECEASED BY HIS LRS

SOFISAB S/O ABDULLA,
AGE: 53 YEARS, OCC: BUSINESS,
SHAHAPUR, TQ. SHAHAPUR.
DIST. YADGIR- 585223

...RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, i)
ISSUE A WRIT IN THE NATURE OF CERTIORARI THEREBY
QUASHING THE IMPUGNED ORDER DATED 27.06.2019 PASSED
BY THE DIST.JUDGE AT YADGIR IN M.A. NO.35/2017 AS AT

Digitally signed
by SACHIN
Location: HIGH
COURT OF
KARNATAKA



ANNEXURE-F. II) ISSUE ANY OTHER ORDER OR DIRECTION AS THIS HON'BLE COURT DEEMS FIT IN VIEW OF THE FACTS AND CIRCUMSTANCES OF THE CASE.

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

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

ORAL ORDER

1. This writ petition under Article 226 of the Constitution of India is filed seeking for the following reliefs:-

- i) *Issue a writ in the nature of certiorari thereby quashing the impugned order dated 27.06.2019 passed by the Dist .Judge at yadgir in M.A.No.35/2017 as at annexure-F.*
- ii) *Issue any other order or direction as this Hon'ble Court deems fit in view of the facts and circumstances of the case.*

2. Heard the learned counsel for the petitioner.

3. Learned counsel for the petitioner submits that similar writ petitions filed by the petitioner with a prayer to quash similar order dated 27.06.2019 passed by the District Judge at Yadagiri in respect of the other shop owners, of the



very same shopping complex has been disposed of by the Co-ordinate Bench of this Court in W.P.No.226637/2020 on 16.04.2021 and therefore, even this writ petition may be disposed of in terms of the order passed by the Co-ordinate Branch of this Court in WP No.226637 of 2020 and Connected petitions disposed of on 16.04.2021. He submits that auction process is not yet concluded.

4. The said submission is placed on record.
5. Accordingly, the following:-

ORDER

- i) The writ petition is disposed of in terms of the order passed by the Co-ordinate Bench of this Court in WP No.226637 of 2020 and connected writ petitions disposed of on 16.04.2021.
- ii) The impugned order at Annexure-F dated 27.06.2019 in MA No.35 of 2017 passed by the District Judge at Yadagiri is quashed
- iii) The matter is placed at the hands of the Council to issue an auction notification in accordance



with law and also in terms of the Circular dated 19.07.2019.

iv) Permit all the shop owners who are in possession of the shops as on date of auction notification to participate in the auction and permit them to exercise an option in terms of Clause 13 of the Government Order dated 19.07.2019 to retain their shops after fulfillment of payment in terms of the auction.

v) Till such auction is concluded, the shop owners shall not be evicted from their respective shops subject to the shop owners clearing all the arrears of rent as on date and continue to pay the demanded rent till the auction proceedings are concluded.

In view of the disposal of this writ petition, IA No.1 of 2021 and IA No.2 of 2021 shall not survive for consideration.

**Sd/-
(S.VISHWAJITH SHETTY)
JUDGE**

NMS
List No.: 1 Sl No.: 34
CT:PK