IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 17TH DAY OF APRIL, 2025

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO.200404 OF 2025 (LB-RES)

BETWEEN:

SMT. RUKSANA BEGUM
W/O GAYASUDDIN,
AGED ABOUT: 61 YEARS,
OCC: HOUSE HOLD,
R/O: H.NO.2-5-120/1, KOT TALAR,
SHALAMSAB COMPOUND, TARANATH ROAD,
TQ. & DIST. RAICHUR - 584 101.

…PETITIONER

(BY SRI. ARUNKUMAR AMARGUNDAPPA,ADVOCATE)

AND:

1. THE REGIONAL COMMISSIONER
KALABURAGI DIVISION, KALABURAGI,
TQ: & DIST: KALABURAGI - 585 101.

2. THE DEPUTY COMMISSIONER
RAICHUR, DIST: RAICHUR - 584 101.

3. THE COMMISSIONER,
RAICHUR CITY MUNICIPALITY,
(NOW RAICHUR CITY CORPORATION),
RAICHUR, DIST: RAICHUR - 584 101.

…RESPONDENTS

(BY SRI. MALLIKARJUN SAHUKAR AGA, FOR R1 & R2;
SMT. AMBIKA S. PATIL ADV.
FOR GOURISH S. KHASHAMPUR ADV. FOR R3)

Digitally signed by VARSHA N RASALKAR
Location: HIGH COURT OF KARNATAKA

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE RESPONDENT NO.1 TO 3 HEREIN TO CONSIDER THE RESPECTIVE REPRESENTATIONS DATED 26.11.2024, 19.12.2024, 20.12.2024 & 17.01.2024 SUBMITTED BY THE PETITIONER PRODUCED AT ANNEXURE-D, D1 TO D3 AND ETC.

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

CORAM: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

(PER: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA)

Heard Sri Arunkumar Amargundappa, learned counsel for the petitioner as well as Miss Ambika S.Patil, who represents Sri Gourish S.Khashampur, learned counsel on record for respondent No.3. Learned Additional Government Advocate who represents respondent Nos.1 and 2 is also heard.

2. Learned counsel for the petitioner submits that the petitioner is the absolute owner of the plot bearing No.187/A which is located at Raichur City and within the limits of a layout called 'Shanti Nagar'. The petitioner obtained permission from respondent No.3 for constructing

a house. Abutting to the open plot of the petitioner, there is a plot bearing No.188 on the western side. The owner of the said plot started constructing the house without obtaining any permission and by encroaching the area of the petitioner's plot. The petitioner gave a complaint to respondent No.3 with a request to stall the illegal construction. However, respondent No.3 did not respond. Though number of representations were given, there is no response and therefore, the writ petition is filed.

3. Miss Ambika S.Patil who represents respondent No.3 on behalf of Sri Gourish S.Khashampur submits that the representations will be considered.

4. No reason is stated as to why the representations were kept pending for more than three months. Having considered justification in the relief sought for, the writ petition is disposed of with the following direction :-

i) Respondent No.3 – Commissioner, Raichur City Municipality is directed to consider the

representations of the petitioner dated 26.11.2024, 19.12.2024 and 20.12.2024 and give necessary reply within a period of four weeks from the date of receipt of certified copy of this order.

ii) The decision taken be communicated to the petitioner.

Sd/-
(Dr.CHILLAKUR SUMALATHA)
JUDGE

SN
List No.: 1 Sl No.: 47
CT:NI