NC: 2025:KHC-K:1849
WP No. 200892 of 2025

**IN THE HIGH COURT OF KARNATAKA,**

**KALABURAGI BENCH**

**DATED THIS THE 22ND DAY OF MARCH, 2025**

**BEFORE**

**THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE**

**WRIT PETITION NO.200892 OF 2025 (KLR-RR/SUR)**

**BETWEEN:**

1. SRI. SHAIK ABDUL SATTAR
   S/O SHAIK ABDUL NABISAR,
   AGED ABOUT 50 YEARS,
   OCC: BUSINESS AND AGRICULTURE,
   R/O H. NO.11-1999/1, IQBAL COLONY,
   MSK MILL, JEELANABAD,
   NEAR HUSSAIN GARDEN,
   KALABURAGI-585 105.

…PETITIONER

(BY SRI GANESH SUBHASHCHANDRA KALBURGI, ADVOCATE)

**AND:**

Digitally signed by BASALINGAPPA SHIVARAJ DHUTTARGAON
Location: HIGH COURT OF KARNATAKA

1. THE STATE OF KARNATAKA,
   REPRESENTED BY ITS PRL. SECRETARY,
   DEPARTMENT OF REVENUE,
   VIDHANA SOUDHA, BENGALURU-01.

2. THE DEPUTY COMMISSIONER,
   KALABURAGI-585 102.

3. THE ASSISTANT COMMISSIONER,
   KALABURAGI-585 501.

4. THE TAHSILDAR,
   KALABURAGI-585 102.

5. ASSISTANT DIRECTOR OF LAND RECORDS,
KALABURAGI-585 102.

…RESPONDENTS

(BY SRI MALLIKARJUN SAHUKAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, (I) ISSUE A WRIT OF MANDAMUS DIRECTING RESPONDENT NO.5 TO CONSIDER AND DISPOSE OF THE REPRESENTATION DATED 31.01.2025 (ANNEXURE-E) AND TO CONDUCT THE SURVEY OF THE SCHEDULE PROPERTY FORTHWITH. (II) PASS SUCH OTHER ORDER(S) AS THIS HON'BLE COURT DEEMS FIT 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 ANANT RAMANATH HEGDE

**ORAL ORDER**

(PER: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE)

Learned Additional Government Advocate accepts notice on behalf of the respondents.

2. This petition is filed seeking writ of mandamus to direct respondent No.5 to consider the representation dated 30.01.2025 marked at Annexure-E and to conduct the survey of the schedule property.

3. The petitioner claims that he has purchased the property bearing Sy. No.124/1 measuring 4 guntas situated at village Brahampur, Taluk and District Kalaburagi. The copy of the registered sale deed dated 30.05.2006 is annexed to the writ petition. The name of the petitioner is also entered in the property records. Thereafter, the petitioner has submitted an application on 20.06.2024 through online and copy of receipt of the application is marked at Annexure-D. Thereafter, on 30.01.2025, a representation was submitted to respondent No.5-Assistant Director of Land Records to conduct the survey as per the online application dated 20.06.2024.

4. It is submitted that despite the application submitted on 20.06.2024 requesting survey, the survey is not conducted. Hence, direction is sought against respondent No.5 to conduct the survey of the petitioner's property in accordance with law.

5. Learned Additional Government Advocate would submit that in case the application is filed and the same is

in order, the survey will be conducted in accordance with law or in case if there is any defect in the application, the petitioner will be directed to remove the defects. The submission is placed on record.

6. Hence, the following:

ORDER

i) The writ petition is allowed.

ii) Respondent No.5 is directed to consider the application dated 20.06.2024 as well as the representation dated 30.01.2025, wherein the petitioner has requested to survey his property.

iii) The online application dated 20.06.2024 as well as the subsequent representation dated 30.01.2025 shall be considered in accordance with law and the whole exercise shall be completed within two months from the date of receipt of a copy of this order.

**Sd/-**
**(ANANT RAMANATH HEGDE)**
**JUDGE**

LG
List No.: 2 Sl No.: 27