IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 2ND DAY OF APRIL, 2025

BEFORE

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO.201984 OF 2022 (LA-RES)

BETWEEN:

LAKSHMIDEVI
W/O VEERESH SHETTY,
AGE: 52 YEARS,
OCC: AGRICULTURE,
R/O MULLUR, TQ: SINDHANUR,
DIST: RAICHUR.

…PETITIONER

(BY SRI. HARSHAVARDHAN R. MALIPATIL, ADVOCATE)

AND:

Digitally signed by VARSHA N RASALKAR
Location: High Court Of Karnataka

1. DEPUTY COMMISSIONER,
   MINI VIDHAN SOUDHA,
   RAICHUR – 584 101.

2. THE EXECUTIVE ENGINEER,
   NO.3, CANAL DIVISION,
   KARNATAKA NEERAVARI NIGAMA LTD.,
   SINDHANUR, DIST: RAICHUR – 584 101.

3. THE ASST. COMMISSIONER &
   LAND ACQUISITION OFFICER,
   LINGASUGUR – 584 122.

…RESPONDENTS

(BY SRI. MALLIKARJUN SAHUKAR, AGA FOR R1 & R3;
SRI. KRUPA SAGAR PATIL, ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENTS TO CONSIDER THE REPRESENTATION OF THE PETITIONER DATED 12.11.2021 VIDE ANNEXURE-B AND CONSEQUENTLY INITIATE ACQUISITION PROCEEDINGS IN RESPECT OF THE LAND OF THE PETITIONER 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 Harshavardhan R. Malipatil, learned counsel for the writ petitioner, learned Additional Government Advocate, who represents respondent Nos.1 and 3 and Sri Krupa Sagar Patil, learned counsel for respondent No.2.

2. This writ petition is filed seeking a writ in the nature of mandamus directing the respondents to consider the representation of the petitioner dated 12.11.2021 and consequently to initiate acquisition proceedings in respect of the land of the petitioner.

3. Learned counsel for the writ petitioner Sri Harshavardhan R. Malipatil submits that the petitioner is the owner of land admeasuring 12 Acres 38 Guntas which is located in Sy.No.83/1 of Mullur village, Sindhanur Taluq, Raichur District. Out of the said land, 3 Acres was taken by the respondents for construction of canal to Tungabhadra Project. However, acquisition proceedings were initiated only to an extent of 1 Acre 24 Guntas of land. The petitioner informed the respondents that the total land acquired is 3 Acres and not 1 Acre 24 Guntas. However, there is no response from the respondents and no compensation is paid. The representation that was given by the petitioner is pending since 2021 and therefore, the present writ petition is filed.

4. Sri Krupa Sagar Patil, learned counsel for respondent No.2 submits that the land acquired is not 3 Acres as contended by the writ petitioner. Learned counsel also submits that the petitioner issued a legal notice under Section 80 of the Code of Civil Procedure,

1908 and no representation as contended by her is given and in case the representation is given, it will be considered in accordance with law.

5. On hearing the submission that is made by Sri Krupa Sagar Patil, learned counsel for respondent No.2, learned counsel for the writ petitioner states that the writ petitioner will immediately give a representation to respondent No.2. Learned counsel seeks a direction to respondent No.2 to consider the representation and pass necessary orders without delay.

6. Having considered the submission thus made by both the learned counsel and in the interest of justice, the writ petition is disposed of with the following:

ORDER

i) The petitioner is directed to file a representation indicating her grievance in respect of the land in issue within a period of two weeks.

ii) Respondent No.2 to consider the representation and pass necessary orders within a period of six weeks from the date of receipt of representation.

iii) The decision taken be communicated to the petitioner.

Sd/-
(Dr.CHILLAKUR SUMALATHA)
JUDGE

LG
List No.: 1 Sl No.: 62