

IN THE HIGH COURT OF KARNATAKA, BENGALURU

DATED THIS THE 31st DAY OF AUGUST, 2015

BEFORE

THE HON'BLE MR.JUSTICE RAM MOHAN REDDY

**WRIT PETITION NOS.3376 OF 2015 &
36305-36307 OF 2015 (LA-BDA)**

BETWEEN:

1. S GOPAL
S/O, SHAMANNA,
AGED ABOUT 37 YEARS,
2. SMT MUNIYAMMA
W/O, SEENAPPA,
AGED ABOUT 75 YEARS,
3. SRI MUNIKRISHNA
S/O, MUNIYAPPA,
AGED ABOUT 55 YEARS,

ALL ARE R/AT, NO.248,
OLD MADIVALA V.P ROAD,
BTM, 1ST STAGE,
BANGALORE-68.

... PETITIONERS

(By Sri. K.H SOMASEKHARA, ADV.,)

AND

1. THE STATE OF KARNATAKA
REP. BY ITS REVENUE SECRETARY,
GOVERNMENT OF KARNATAKA,

DEPARTMENT OF URBAN DEVELOPMENT,
VIDHANA SOUDHA, BANGALORE-01.

2. THE COMMISSIONER
BANGALORE DEVELOPMENT AUTHORITY,
BANGALORE-560001.
3. THE SPECIAL LAND ACQUISITION OFFICER
BANGALORE DEVELOPMENT AUTHORITY,
BANGALORE-560001.

... RESPONDENTS

(By Sri. Y.D. HARSHA, AGA FOR R1)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLES 226 & 227 OF CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS FROM THE RESPONDENTS. DIRECT THE R-2 & 3 TO CONSIDER THE REPRESENTATION & ACKNOWLEDGEMENT OF THE PETITIONERS DTD.17.5.2014 VIDE ANENX-F & G RESPECTIVELY & ETC.,1

THESE WRIT PETITIONS COMING ON FOR PRL. HEARING THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Petitioners claiming to be grandchildren of the land loser, who is said to have lost lands way back in the year 1977 in an acquisition by the then City Improvement Trust Board for formation of layout called

as 'Byrasanda Thavarakere Madivala Scheme', have presented these petitions for a writ of mandamus to the respondent-Bangalore Development Board to consider their representations, Annexures-F and G for allotment of sites under the scheme then existing as has been done in W.P.Nos.27277/2013 and 27411/2013 DD 19.7.2013.

2. In the first place it is not known as to the status of the petitioners over their claim to be grandchildren of a land loser. This court in exercise of writ jurisdiction under Article 226 of the Constitution cannot issue declaration of status of persons which could be done only by a competent Court of law and therefore, petitioners must exert themselves over securing necessary declaration over their status and thereafter armed with such declaration to file a representation to the respondent-Bangalore Development Authority enclosing the order dated

19.7.2013 in the writ petitions referred to above and if so done, there is no reason to believe that the Authorities would not consider the same and pass orders in accordance with law.

Petitions are accordingly disposed of.

**Sd/-
JUDGE**

ln.