

**IN THE HIGH COURT OF KARNATAKA, BENGALURU**

**DATED THIS THE 30<sup>TH</sup> DAY OF NOVEMBER, 2015**

**BEFORE**

**THE HON'BLE MR.JUSTICE RAM MOHAN REDDY**

**WRIT PETITION NO.19100 OF 2015(KLR-REG)**

BETWEEN

SRI D.RAVISHANKAR,  
SON OF D. KAMESH  
AGED ABOUT 54 YEARS,  
RESIDING AT NO.1,  
GUTTE ANJANEYA SWAMY TEMPLE STREET,  
WILSON GARDEN,  
BENGALURU -560027. ... PETITIONER

(BY SRI MAHESH S.Y, ADVOCATE )

AND

1. STATE OF KARNATAKA  
REVENUE DEPARTMENT,  
M.S. BUILDING,  
BENGALURU - 560001.  
REPRESENTED BY ITS  
PRINCIPAL SECRETARY.
2. THE DEPUTY COMMISSIONER,  
BENGALURU DISTRICT,  
BENGALURU - 560001.
3. THE DEPUTY DIRECTOR OF  
LAND RECORDS  
BENGALURU URBAN DISTRICT  
K.G. ROAD,  
BENGALURU- 9.

4. THE ASSISTANT COMMISSIONER  
BENGALURU SOUTH SUB-DIVISION  
KHANDAYA BHAVAN, K.G. ROAD,  
BENGALURU - 560009.
5. THE TAHSILDAR,  
BENGALURU SOUTH TALUK  
K.G. ROAD,  
BENGALURU - 560009. ... RESPONDENTS

(BY SRI H.VENKATESH DODDERI, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR RECORDS FROM THE FILE OF R-5 IN RESPECT OF THE LAND IN QUESTION. DIRECT THE RESPONDENTS TO CONSIDER THE REPRESENTATION OF THE PETITIONER DT.29.9.2012 FOR MAKING PHODI AND DURASTH AS PER ANNEX-A AND R-5 MAY BE DIRECTED TO MAKE PHODI AND DURASTH IN RESPECT OF THE LAND IN QUESTION.

THIS WRIT PETITION COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:

### **ORDER**

Learned Addl. Government Advocate files a memo enclosing Photostat copies of the tippanis as well as akarband in respect of lands assigned New Sy.No.7/9 and 7/22 of Uttarahalli Manvathkawal village, Bangalore South Taluk after completion of Podi on 28.11.2015. The JDLR, Sri.Jayaprakash is present and

submits that since the process of building up files by the District Level File Missing Committee is concluded, nothing further survives for consideration in these petitions. It is further submitted that Tippanis and akarband would be uploaded on to the website of the Survey Department, at the earliest.

2. Taking on record the memo and recording the submission of the JDLR nothing further survives for consideration in this petition and is, accordingly disposed of.

3. Several writ petitions are filed for reliefs of conducting podi and durast in respect of lands, subject matter of grant during the British era, copies of which are generally unavailable with the parties at this distance of time, while revenue records maintained under the then Mysore Land Revenue Code, and Land grant Rules and subsequently under the Karnataka Land Revenue Act, 1964 and Karnataka Land Revenue

Rules, 1966 and the Land Grant Rules, 1969 are in the custody of the prescribed officer. The State Government and its authorities, cannot insist upon the parties to furnish records or their certified extracts, in the absence of which is the grievance of many a litigant before this Court invoking the extraordinary writ jurisdiction, One of which is this case. It is after several efforts that the District Level File Missing Committee secured records from the prescribed officer under Section 127 of the Karnataka Land Revenue Act, 1964, and a report filed in the case of the petitioner whose name was found along with six others, grantees of the piece and parcels of lands in Sy.No.7 of Uttarahalli Manvatharkawal. The District Level Committee though pointed out that certain records required for its consideration in terms of Circular dated 17.9.2009 and 28.9.2012 were unavailable, hence could not comply with the terms the Principal Secretary, Revenue Department to make

amends to the Circulars so as to simplify the process, and issue necessary Circulars in that regard.

Registry to address a letter to the Principal Secretary, Revenue Department, enclosing a copy of this Order, forthwith, for action and report to the Registrar General, High Court of Karnataka.

**Sd/-  
JUDGE**

ln.