

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

**DATED THIS THE, 29<sup>TH</sup> DAY OF DECEMBER, 2021**

**BEFORE**

**THE HON'BLE MR.JUSTICE B.M.SHYAM PRASAD**

**WRIT PETITION NO.24239 OF 2021(KLR-RES)**

**BETWEEN:**

SRI. UMA MAHESH A N  
S/O A.N.NANJIAH  
AGED 54 YEARS,  
R/AT ACHAREDDY VILLAGE,  
HURDI POST, HANBAL HOBLI,  
SAKLESHPUR TALUK  
HASSAN DISTRICT-573 165.

...PETITIONER

(BY SRI. LEELADHAR H P, ADVOCATE)

**AND:**

1. STATE OF KARNATAKA BY  
PRINCIPAL SECRETARY  
REVENUE DEPARTMENT,  
GOVT. OF KARNATAKA  
M.S.BUILDING,  
BENGLAURU-560 001.
2. THE DEPUTY COMMISSIONER  
HASSAN DISTRICT,

OFFICE OF THE DEPUTY COMMISSIONER  
BM ROAD, HASSAN-573 201.

3. THE TAHSILDAR  
SAKLESHPUR TALUK  
BM ROAD, SAKLESHPUR  
HASSAN DISTRICT-573 127
4. BLOCK EDUCATION OFFICER  
DEPARTMENT OF EDUCATION  
SAKLESHPUR TALUK  
HASSAN DISTRICT-573 127.

...RESPONDENTS

(By Sri.:C.N.MAHADESHWARAN, AGA )

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE ENTIRE RECORDS ISSUED BY RESPONDENT NO.2 IN ORDER DATED 12.10.2021 AND QUASH THE IMPUGNED ORDER NO.LND(2)214/2021-22 PASSED BY THE DEPUTY COMMISSIONER, HASSAN DISTRICT I.E, THE RESPONDENT NO.2 HEREIN VIDE HIS ORDER DATED 12.10.2021 WHO HAS REJECTED THE APPLICATION OF THE PETITIONER UNDER SECTION 94(B) OF THE KARNATAKA LAND REVENUE ACT, 1964 UNDER ANNEXURE-A.

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

**ORDER**

The petitioner has impugned the second respondent's order dated 12.10.2021 rejecting the petitioner's application in Form 53. It is undisputed that the petitioner has alternative remedy under section 49 of the Karnataka Land Revenue Act (for short, '*the Act*').

The learned counsel for the petitioner submits that he has filed this petition because the impugned order is without even a notice to the petitioner. Be that as it may, this is a ground that could be urged by the petitioner in the equally efficacious alternative remedy under Section 49(c) of the Act. In the earlier round of litigation before this Court in W.P. No.12512/2021, the parties were directed to maintain status-quo as regards the petitioner's possession of 1 acre 20

guntas in Sy. No.50 of Achharadi Village, Hanbal Hobli, Sakleshpura Taluk, Hassan District until disposal of the petitioner's application.

In the aforesaid circumstances, the petition could be disposed of with liberty to the petitioner to avail alternative remedy and interest of justice could be secured by calling upon the authorities not to take any precipitous action for a period of four weeks from today. Ordered accordingly.

**Sd/-  
JUDGE**

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