

IN THE HIGH COURT OF KARNATAKA  
KALABURAGI BENCH

DATED THIS THE 30<sup>TH</sup> DAY OF JUNE, 2022

**BEFORE**

THE HON'BLE MR. JUSTICE S. VISHWAJITH SHETTY

**WRIT PETITION No.201252/2022 (KLR-RR/SUR)**

BETWEEN:

Mr. Ahmed Ali S/o Abdul Hameed Chulbul,  
Aged about 78 years,  
Residing at 10-2-3/2,  
Bangalipeer Colony, Aland-585301.  
Tq. Aland, Dist. Kalaburagi.

... Petitioner

(By Sri. Abdul Mughtadir, Advocate)

AND:

1. State of Karnataka  
Represented by its Principal Secretary,  
Revenue Department,  
Room No.505, 5<sup>th</sup> Floor, Gate 3,  
M.S.Building, Dr. B.R.Ambedkar Veedhi,  
Bangalore-560001.
2. Tahashildar, Aland,  
SH, 34, Main Road, Aland,  
Tq. Aland, Dist. Kalaburagi-585302.
3. Deputy Commissioner, Kalaburagi  
Room No.08, Vidhan Soudha,  
Kalaburagi-585101.

4. Karnataka State Board of Auqaf,  
Represented by its CEO  
Darul Auqaf #6, Cunningham Road,  
Vasanth Nagar, Bangalore-560051.
5. District Waqf Committee,  
Station Road, Kalaburagi-585102.  
By its District Waqf Officer.

... Respondents

(By Sri. Shivakumar Tengli, AGA for R1 to R3;  
By Sri. Liyaqat Fareed Ustad, Advocate for R4 & R5)

This Writ Petition is filed under Articles 226 and 227 of the Constitution of India, praying to issue an appropriate order / direction / writ in nature of certiorari to quash the entry of respondent No.4 name in column No.11 of the R.O.R in respect of land bearing Sy.No.222/1 measuring to the extent of 03 acres 00 guntas situated at village Aland Tq. Aland & Dist. Kalaburagi vide Annexure-J-6 to 10 and etc.

This petition coming on for Preliminary Hearing this day, the Court made the following:

### **ORDER**

The petitioner has filed the instant writ petition seeking for the following reliefs:

*"(a) To issue an appropriate order/direction/writ in nature of certiorari to quash the entry of respondent No.4 name in column No.11 of the R.O.R. in respect of land bearing Sy.No.222/1 measuring to the extent of 03 acres situated at Village Aland, Tq. Aland & Dist. Kalaburagi vide Annexure-J6 to J10."*

2. It is the case of the petitioner that he is the absolute owner of the land bearing Survey No.222/1 measuring 03 acres situated at Aland Kosba village, Aland taluka, Kalaburagi district and his name was also mutated in the revenue records of the land in question. Thereafterwards, without notice to the petitioner, the entries in the revenue records of the land in question were mutated in the name of the fourth respondent. Being aggrieved by the same, the petitioner has preferred this writ petition.

3. The learned counsel for the petitioner submits that the name of the fourth respondent has been entered in the revenue records without notice to the petitioner and in identical circumstances, this Court in W.P.No.200852/2022 and W.P.No.200854/2022 had allowed the writ petitions deleting the name of the sixth respondent - Wakf Board from Column No.11 of the record of rights in respect of the land in question therein.

4. The learned Additional Government Advocate appearing for respondent Nos.1 to 3 and the learned counsel for respondent Nos.4 and 5 do not dispute the said submission made by the learned counsel for the petitioner.

5. Under the circumstances, in order to maintain parity, even this writ petition can be disposed of in terms of the order passed by this Court in

W.P.No.200852/2022 and W.P.No.200854/2022

disposed of on 08.07.2022. Accordingly, following:

ORDER

The writ petition is allowed.

The entries made in the name of the fourth respondent in Column No.11 of the record of rights in respect of land bearing Survey No.222/1 measuring 03 acres situated at Aland Kasba village, Aland taluka, Kalaburagi district vide Annexures-J6 to J10 is quashed.

The matter is remitted back to the second respondent - Tahsildar, who shall issue notices to all the interested parties relating to the land in question and after holding an enquiry shall proceed to pass orders in accordance with Sections 127 and 128 of the Karnataka Land Revenue Act.

The learned Additional Government Advocate appearing for respondent Nos.1 to 3 and the learned

counsel appearing for respondent Nos.4 and 5 are permitted to file their memo of appearance within two weeks.

**Sd/-  
JUDGE**

Srt  
CT-SMP