

IN THE HIGH COURT OF KARNATAKA
KALABURAGI BENCH

DATED THIS THE 31ST DAY OF MAY, 2022

BEFORE

THE HON'BLE MR. JUSTICE S. VISHWAJITH SHETTY

WRIT PETITION NO.200027/2021 (GM-RES)
C/W
WRIT PETITION NO.201159/2022

IN W.P.NO.200027/2021

BETWEEN:

1. Ganesh S/o Laxman Rathod,
Age: 47 years, Occ: Agriculture,
R/o Sannur Village, Aurad (B) Hobli,
Tq. & Dist: Kalaburagi-585 102.
2. Heeru S/o Situ,
Age: 56 years, Occ: Agriculture,
R/o Sannur Village, Aurad (B) Hobli,
Tq. & Dist: Kalaburagi-585 102.
3. Devidas S/o Shyamsingh,
Age: 60 years, Occ: Agriculture,
R/o Sannur Village, Aurad (B) Hobli,
Tq. & Dist: Kalaburagi-585 102.
4. Shankar S/o Situ Jadhav,
Age: 51 years, Occ: Agriculture,
R/o Sannur Village, Aurad (B) Hobli,
Tq. & Dist: Kalaburagi-585 102.
5. Abdul Rehman S/o Khajasab,
Age: 53 years, Occ: Agriculture,

R/o Sannur Village, Aurad (B) Hobli,
Tq. & Dist: Kalaburagi-585 102.

6. Vazeer Bi W/o Abdul Sab,
Age: 52 years, Occ: Agriculture,
R/o Sannur Village, Aurad (B) Hobli,
Tq. & Dist: Kalaburagi-585 102.

... Petitioners

(By Sri Ganesh S. Kalburgi, Advocate)

AND:

1. Managing Director,
Karnataka Power Transmission
Corporation Limited,
Corporate Office, Kaveri Bhavan,
K.G.Road, Bengaluru-560 009.
2. The Deputy Commissioner,
Mini-Vidhan Soudha,
Station Bazar Road,
Kalaburagi-585 102.
3. Executive Engineer,
Karnataka Power Transmission
Corporation Limited,
Prasarana Bhavana, University Campus,
Sedam Road, Kalaburagi-585 101.

... Respondents

(Sri Veeranagouda Malipatil, HCGP for R2;
Sri Ravindra Reddy, Advocate for R1 & R3)

This Writ Petition is filed under Articles 226 and 227 of the Constitution of India praying to grant appropriate writ, more so in the nature of mandamus and grant following reliefs;

- i. Direct the respondent No.3 to restrain themselves laying any high-tension towers or lines over the petitioners property bearing Sy.No.68/1, 63/1, 78/2, 107/7 & 106/1 of Sannur Village, Aurad (B) Hobli, Tq. & Dist: Kalaburagi.
- ii. Issue direction to the respondent No.2 and 3 to consider the objection/representation dated 23.12.2020 the copy of which is at Annexure-D submitted by petitioners to the respondent No.2 and 3 herein and thereby direct the respondent No.3, that if they intend to lay line or tower over the petitioner's land then they shall calculate the compensation as per law.
- iii. Issue any other appropriate writ or direction or order or rule to the respondents as it deems fit to this Hon'ble Court under facts and circumstances of the case.

IN W.P.NO.201159/2022**BETWEEN:**

1. Jairam S/o Ganu Rathod,
Age: 43 years, Occ: Agriculture,
R/o Sannur Village, Aurad (B) Hobli,
Tq. & Dist: Kalaburagi-585 102.
2. Ramchandra S/o Somalia Rathod,
Age: 45 years, Occ: Agriculture,
R/o Sannur Village, Aurad (B) Hobli,
Tq. & Dist: Kalaburagi-585 102.
3. Sheshu S/o Hobu,
Age about: 40 years, Occ: Agriculture,
R/o Sannur Village, Aurad (B) Hobli,
Tq. & Dist: Kalaburagi-585 102.

4. Vijaykumar S/o Sheshu,
Aged about: 35 years, Occ: Agriculture,
R/o Sannur Village, Aurad (B) Hobli,
Tq. & Dist: Kalaburagi-585 102.

... Petitioners

(By Sri Ganesh S. Kalburgi, Advocate)

AND:

1. Managing Director,
Karnataka Power Transmission
Corporation Limited,
Corporate Office, Kaveri Bhavan,
K.G.Road, Bengaluru-560 009.
2. The Deputy Commissioner,
Mini-Vidhan Soudha,
Station Bazar Road,
Kalaburagi-585 102.
3. Executive Engineer,
Karnataka Power Transmission
Corporation Limited,
Prasarana Bhavana, University Campus,
Sedam Road, Kalaburagi-585 101.

... Respondents

(Sri Veeranagouda Malipatil, HCGP for R2;
Sri Ravindra Reddy, Advocate for R1 & R3)

This Writ Petition is filed under Articles 226 and 227 of the Constitution of India praying to grant appropriate writ, more so in the nature of mandamus and grant following reliefs;

- i. Direct the respondent No.3 to restrain themselves laying any high-tension towers or lines over the petitioners property bearing Sy.No.76/1, 76/2, 76/9,

65/14 & 65/5 of Sannur Village, Awrad (B) Hobli, Tq. & Dist: Kalaburagi.

- ii. Issue any other appropriate writ or direction or order or rule to the respondents as it deems fit to this Hon'ble Court under facts and circumstances of the case.

These petitions coming on for Preliminary Hearing in 'B' Group this day, the Court made the following:

O R D E R

Learned High Court Government Pleader is directed to take notice for respondent No.2.

2. Learned counsel Sri Ravindra Reddy undertakes to file Vakalath on behalf of respondents No.1 & 3.

3. Learned counsel for the petitioners has filed a memo stating that respondent No.3 has forwarded a photostat copy of the demand drafts drawn in the name of petitioners and has communicated to the petitioners that after the writ petitions are withdrawn the original demand drafts will be handed over to the petitioners. He therefore prays to withdraw the petitions. The said memo dated 31.05.2022 filed by the petitioners is taken on record.

6 W.P.No.200027/2021
C/w W.P.No.201159/2022

The writ petitions are accordingly dismissed as withdrawn.

**Sd/-
JUDGE**

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