
(2001) 06 KAR CK 0014
In the Karnataka High Court
Case No : Writ Petition No. 20159 of 2001

Achappa	Vs	APPELLANT
The Assistant Commissioner, North Sub-division and Others		RESPONDENT

Date of Decision : 11-06-2001

Acts Referred:

Karnataka Land Revenue Act, 1964 — Section 136 (2)

Citation : (2001) 3 KCCR 2059

Hon'ble Judges : V. Gopala Gowda, J

Bench : Single Bench

Advocate : K. Prabhakar, for the Appellant;

Judgement

V. Gopala Gowda, J.—The prayers sought for in this writ petition are not only strange but also wholly untenable. On this ground itself the writ petition is liable to be dismissed in limine.

2. Petitioner is seeking to set-aside the order passed by this Court on 25.1.2000 in Writ Petition No. 2641 of 1999 vide Annexure-A and to direct the Registrar (Judicial) of this Court to file a complaint against the Respondents before the concerned Magistrate for playing fraud on this Court.

3. So far as the first prayer to set aside the order passed by the aforesaid writ petition is concerned, if the Petitioner is aggrieved by the order passed in Writ Petition No. 2641 of 1999, the remedy open to him is to file a writ appeal against the said order. Instead of doing so, this writ petition is filed. An order passed in a writ petition cannot be set-aside in another writ petition. At the best the parties aggrieved by the order may seek review of the order to rectify the errors apparent on the face of the record or file appeal against the order.

4. The second prayer sought to direct the Registrar (Judicial) of this Court to lodge complaint, also cannot be granted. Registrar (J) is not meant for that purpose. Instead of seeking such a direction, the Petitioner himself could file complaint. Nothing prevents the Petitioner from filing the same. Without availing

the direct access available to Magistrate Court, the Petitioner attempts to redress his grievance through the Registry of this Court.

5. Petitioner is aggrieved by the mutation entries deleting his name. He has got alternative remedy of filing appeal u/s 136(2) of the Karnataka Land Revenue Act, 1964. Without availing the said remedy he has approached this Court seeking untenable prayers.

6. Reserving liberty to the Petitioner to avail the alternative remedy within two weeks from today, this writ petition is dismissed.