

(2022) 03 KAR CK 0022

In the Karnataka High Court

Case No : Writ Petition No. 4563 Of 2022 (KLR - RES)

K.V. Ramachar & Others

APPELLANT

Vs

State Of Karnataka & Others

RESPONDENT

Date of Decision : 14-03-2022

Acts Referred:

Citation : (2022) 03 KAR CK 0022

Hon'ble Judges : M.I. Arun, J

Bench : Single Bench

Advocate : V. Ramakrishna, R. Srinivas Gowda

Final Decision : Disposed Of

Judgement

M.I. Arun, J

1. The case of the petitioners is that they are the owners of 14 acres and 30 guntas of land in Survey No.33/1A1 of Giddanakatte Village, Sokke Hobli, Jagalur Taluk, Davanagere District and that respondents – Authorities are trying to illegally form a road in their land without acquiring the same. In this regard, petitioners have given representation to respondent No.4 – The Assistant Commissioner. In spite of the same, respondents are going ahead with the road without considering the representation.

2. Learned Additional Government Advocate upon instructions submits that there is already a Kaccha road as per survey records and pakka road is being formed on the same and the rights of the petitioners are not violated. He further submits that the representation with all the particulars have not been submitted to the authorities by the petitioners. If the petitioners would submit appropriate representation, the same would be considered in accordance with law and proper decision will be taken.

3. Hence, the following:

ORDER

i. Petitioners are given liberty to submit fresh representation with all the necessary particulars to respondents Nos.2 to 6 within a period of one week from today.

ii. The authorities shall take proper decision upon the representation of the petitioners and only thereafter proceed with the work of the road in accordance with law and copy of the decision taken on the representation of the petitioners will be made available to the petitioners.

Accordingly, the writ petition is disposed of.

In view of the disposal of the main petition, pending interlocutory applications does not survive for consideration.