

(2023) 01 KAR CK 0023

In the Karnataka High Court

Case No : Writ Petition No. 54571 Of 2014(LA-RES)

M.N. Ramachandra Rao & Others

APPELLANT

Vs

State Of Karnataka & Others

RESPONDENT

Date of Decision : 17-01-2023

Acts Referred:

Citation : (2023) 01 KAR CK 0023

Hon'ble Judges : Krishna S.Dixit, J

Bench : Single Bench

Advocate : K.R. Lingaraja, R Srinivasa Gowda, B K Manjunath

Final Decision : Disposed Of

Judgement

Krishna S.Dixit, J

1. The subject matter of this Writ Petition is substantially similar to the one in W.P.Nos. 52932-52950/2014 (LA-RES), between SRI.RAVINDRANATH H.S. & OTHERS vs. STATE OF KARNATAKA & OTHERS, disposed off by a Coordinate Bench of this Court vide judgment dated 23.03.2016 wherein relief has been granted to the litigants therein in terms of Paragraph No.3 which reads as under:

"It is made clear that the respondents shall take action only in accordance with law. In that, they shall hold an appropriate inquiry to determine that there is indeed encroachment with reference to the title deeds of the petitioners and actual measurements of the property and it is only after an appropriate order being passed, the respondents shall take any further action in respect of the alleged encroachment, for otherwise, they shall not interfere with the petitioners' property otherwise than under due process of law.

With the above observation, the petitions stand disposed of."

2. It has been consistently held by the Courts that where relief has been granted to a litigant in a given fact matrix, the same needs to be extended to other similarly circumstanced litigant as well in the absence of any repugnant factors.

No such repugnant factors are notified to the Court in this matter.

In view of the above, this Writ Petition is disposed off granting the same relief to the Petitioners as has been granted to the litigants in the cognate Writ Petitions, *mutantis mutandis*.

Ordered accordingly and Writ Petition is disposed off.