

The Commissioner vs the Assisant Commissioner

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Court : Karnataka

Decided On : Feb-03-2026

Judge : S.R.Krishna Kumar

Appeal No. : WP/39427/2025

Appellant : The Commissioner

Respondent : The Assisant Commissioner

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF FEBRUARY, 2026 BEFORE THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR WRIT PETITION NO. 39427 OF 2025 (GM-CPC) BETWEEN: THE COMMISSIONER CITY MUNICIPAL COUNCIL, NANJANGUD TOWN, NANJANGUD, MYSURU DISTRICT - 571301. PETITIONER (BY SRI. P MAHESHA.,ADVOCATE) AND:

1. THE ASSISANT COMMISSIONER SPECIAL LAND ACQUISITION OFFICER, MYSURU SUB-DIVISION, DISTRICT OFFICE BUILDING,

CHAMARAJAPURAM, MYSURU 570005.

2. SRI. UMAMANI,

W/O. MARISWAMYNAIKA, Digitally signed by CHANDANA AGED ABOUT 37 YEARS, BM SUTTUR VILLAGE, BILIGER HOBLI, Location: High Court of NANJANGUD TALUK - 571129. Karnataka RESPONDENTS (BY SRI. N. ANITHA GIRISH,HCGP FOR R1) THIS WP IS FIELD UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO-SET ASIDE THE IMPUGNED PROCEEDINGS INITIATED ONLY AGAINST THE PETITIONER IN LAC NO. 5/2018 AND EXECUTION NO. 452/2025 ON THE FILE OF PRL. DISTRICT AND SESSIONS JUDGE, MYSURU. THIS PETITION, COMING ON FOR ORDERS, THIS DAY,

ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR -2-

ORAL ORDER

In this petition, petitioner seeks the following reliefs: i) Issue writ of certiorari by setting aside the entire proceedings initiated against the petitioner herein Execution No.452/2025 pending on the file of I Additional District and Sessions Judge, Mysuru vide Annexure-'D1', only in so far as the petitioner is concerned. ii) Issue writ of mandamus directing the first respondent authority to release the compensation for the land acquired by them for the benefit of the Suttur Gram Panchayath in favour of the claimants. iii) Pleased to pass any other order or direction this Hon'ble Court feels deem fit under these circumstances of the case in the interest of justice and equity.

2. Heard the learned counsel for the petitioner and the learned HCGP for respondent No.1 and perused the material on record.

3. After arguing the matter for sometime, learned counsel

for the petitioner-City Municipal Council, Nanjangud seeks permission to withdraw the present petition with liberty to file -3- objections before the Executing Court and contest the execution proceedings on merits and in accordance with law.

4. The aforesaid submission is placed on record.

5. Accordingly, the petition stands disposed of as

withdrawn, reserving liberty in favour of the petitioner to urge all contentions including the contentions urged in the present petition before the Executing Court, which is hereby directed to consider the contentions, objections, defences, etc., put forth by the petitioner and proceed further and dispose of the execution proceedings, in accordance with law.

6. Subject to the aforesaid directions and liberty reserved in favour of the petitioner, petition stands disposed of. Sd/- (S.R.KRISHNA KUMAR) JUDGE MDS
List No.: 1 SI No.: 43

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