

The Commissioner vs the Assistant Commissioner

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Court : Karnataka Orders

Decided On : Feb-02-2026

Judge : S.R.Krishna Kumar

Appeal No. : WP/39771/2025

Appellant : The Commissioner

Respondent : The Assistant Commissioner

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF FEBRUARY, 2026 BEFORE THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR WRIT PETITION NO. 39771 OF 2025 (GM-CPC) BETWEEN: THE COMMISSIONER CITY MUNICIPAL COUNCIL, NANJANGUD TOWN, NANJANGUD, MYSURU DISTRICT 571 301. PETITIONER (BY SRI. P MAHESHA.,ADVOCATE) AND:

1. THE ASSISTANT COMMISSIONER

SPECIAL LAND ACQUISITION OFFICER, MYSURU SUB-DIVISION,
Digitally signed DISTRICT OFFICE BUILDING, by SHARADAVANI
CHAMARAJAPURAM, B Location: High MYSURU 570 005 Court of
Karnataka

2. SRI. MALIGANAIIKA, S/O. LATE. MARINANJANAIIKA, AGED ABOUT
66 YEARS, SUTTUR VILLAGE, BILIGER HOBLI, NANJANGUD TALUK
- 571 129. RESPONDENTS (BY SRI.NEELAKANTAPPA K.
PUJAR,HCGP FOR R1) -2- THIS WRIT PETITION IS FILED UNDER
ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET
ASIDE THE

IMPUGNED PROCEEDING INITIATED ONLY AGAINST THE
PETITIONER IN LAC NO.4/2018 AND EXECUTION NO. 326/2025 ON
THE FILE OF THE PRL.DISTRICT AND SESSIONS JUDGE, MYSURU.
THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS
DAY, ORDER WAS MADE THEREIN AS UNDER: CORAM: HON'BLE
MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

Heard the learned counsel appearing for the petitioner and the learned HCGP
appearing for Respondent No.1.

2. 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.326/2025 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 -3-
benefit of the Suttur Gram Panchayath in favour of the claimants. iii) Pleaded 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.

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 objections before the Executing Court and contest the execution proceedings on merits and in accordance with law.

4. Submission is placed on record. 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., putforth by the petitioner and proceed further and dispose of the execution proceedings, in accordance with law. -4-

5. Subject to the aforesaid directions and liberty reserved in favour of the petitioner, petition stands disposed of. Sd/- (S.R.KRISHNA KUMAR) JUDGE DH
List No.: 1 SI No.: 7

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