

K Mahadevu vs State of Karnataka

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Court : Karnataka Orders

Decided On : Mar-28-2025

Judge : N S Sanjay Gowda

Appeal No. : WP/34465/2018

Appellant : K Mahadevu

Respondent : State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF MARCH, 2025 BEFORE THE
HON'BLE MR JUSTICE N S SANJAY GOWDA WRIT PETITION NO.
34465 OF 2018 (LR) BETWEEN:

1. K MAHADEVU S/O LATE KEMPA SHETTY, VARAKODU, VARUNA
HOBLI, MYSORE TALUK & DISTRICT-570010. PETITIONER (BY SRI.
K SREEDHAR., ADVOCATE) AND:

1. STATE OF KARNATAKA REPRESENTED BY ITS SECRETARY,
REVENUE DEPARTMENT, M.S.BUILDING, DR AMBEDKAR VEEDHI,

Digitally 2. THE DEPUTY COMMISSIONER signed by KIRAN MYSORE
DISTRICT KUMAR R Location: MYSORE-570001. HIGH COURT OF
KARNATAKA 3. THE LAND TRIBUNAL MYSORE-570004.

4. THE TAHSILDAR AND MUZRAI OFFICER MYSORE-570005.
RESPONDENTS (BY SMT. SAVITHRAMMA., AGA) -2- THIS WP IS
FILED UNDER ARTICLES 226 AND 227 OF

THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE R-2 TO
CONSIDER THE APPLICATION OF THE PETITIONER FILED BY HIS
FATHER FOR GRANT OF OCCUPANCY RIGHTS IN RESPECT OF
THE LAND BEARING SY. NO.417 OF VARAKODU VILLAGE AND
GRANT OCCUPANCY RIGHTS IN FAVOUR OF THE PETITIONER
MARKED AS ANNEXURE-A, ETC. THIS PETITION, COMING ON FOR
ORDERS, THIS DAY,

ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE N S SANJAY GOWDA

ORAL ORDER

1. The petitioner had made an application in Form-7

seeking conferment of occupancy rights. The Land Tribunal by order dated
09.07.2002 rejected the claim on the ground that the land in question was an inam
land and the Tribunal had no jurisdiction.

2. The petitioner thereafter made an application in

Form-7A before the Deputy Commissioner. He submitted that though the
application was in Form- 7A, the application had been made under the provisions
of the Mysore Religious and Charitable Inams Abolition Act, 1955. The Deputy
Commissioner, however, issued an endorsement -3- stating that he was awaiting

instructions from the Government regarding consideration of such applications and therefore, he was disposing of the application.

3. It is the case of the petitioner that thereafter the

provisions of Inams Abolition Act had been amended and an opportunity was granted to the petitioner to file a fresh application and accordingly, on 29.12.2022, the petitioner has made an application, a copy of which is produced along with the memo dated 20.02.2024 before this Court.

4. Learned counsel for the petitioner submits that if a direction is issued to the Special Deputy Commissioner to consider the aforesaid application, the grievance of the petitioner would be addressed.

5. In light of the above submission, the Special Deputy

Commissioner is directed to consider the application of the petitioner filed on 29.12.2022 as indicated in the memo dated 20.02.2024, as early as possible, at -
4- any rate, within a period of six months from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. Sd/- (N S SANJAY GOWDA)
JUDGE PKS List No.: 1 SI No.: 48

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