

K a Muthanna vs the State of Karnataka

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Court : Karnataka Orders

Decided On : Jul-01-2025

Judge : E.S.Indires

Appeal No. : WP/19566/2023

Appellant : K a Muthanna

Respondent : The State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 01ST DAY OF JULY, 2025 BEFORE THE HON'BLE MR. JUSTICE E.S. INDIRESH WRIT PETITION NO.19566 OF 2023 (KLR-LG) BETWEEN: K.A. MUTHANNA S/O LATE K.M. APPAIAH AGED ABOUT 69 YEARS, R/O KUNJALAGERI VILLAGE, BELLUMADU POST, VIRAJPET TALUK, KODAGU DISTRICT - 573 134. PETITIONER (BY SRI. M.T. NANAIHAH, SENIOR COUNSEL FOR SRI. SUMANTH L. BHARADWAJ, ADVOCATE) AND:

1. THE STATE OF KARNATAKA

REP. BY ITS PRINCIPAL SECRETARY REVENUE DEPARTMENT, BENGALURU - 560 001. Digitally signed by SHARMA ANAND CHAYA 2. THE DEPUTY COMMISSIONER Location: HIGH MADIKERI DISTRICT, COURT OF KARNATAKA MADIKERI - 573 201.

3. THE ASSISTANT COMMISSIONER

4. THE THASILDHAR RESPONDENTS (BY SMT. SAVITHRAMMA, AGA) -2- THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE RESPONDENTS TO GRANT 10 ACRES OF LAND IN

SURVEY NO.52/1A OF MONNAGERE-1, MADIKERI HOBLI MADIKERI TALUK OR ANY OTHER APPROPRIATE ALTERNATIVE LAND EITHER IN KUSHALNAGARA OR VIRAJPET TALUK OF MADIKERI DISTRICT INSTEAD OF LAND IN SURVEY NO.71/1 OF NALADI VILLAGE, NAPOKLU HOBLI, MADIKERI TALUK IN FAVOUR OF THE PETITIONER UNDER EX-SERVICEMEN QUOTA; AND ETC. THIS PETITION COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER: CORAM: HON'BLE MR. JUSTICE E.S. INDIRESH

ORAL ORDER

Smt. Savithramma, learned Additional Government Advocate accepts notice for respondents.

2. In this writ petition, the petitioner is seeking

direction to the respondent-Authorities to grant alternative land instead of the land bearing Survey No.71/1 of Naladi Village, Napoklu Hobli, Madikeri Taluk granted in favour of the petitioner under Ex-Servicemen quota. -3-

3. Heard Sri. M.T. Nanaiah, learned Senior Counsel on behalf of Sri. Sumanth L. Bharadwaj, appearing for the petitioner and Smt. Savithramma, learned Additional Government Advocate appearing for respondents.

4. Sri. M.T. Nanaiah, learned Senior Counsel appearing

for the petitioner contended that the land bearing Survey No.71/1 of Naladi Village, Napoklu Hobli, Madikeri Taluk, which has been granted in favour of the petitioner is not suitable for cultivation and therefore, the purpose for which it has been granted has become futile. In this regard, learned Senior Counsel invited the attention of the Court to the alternative land available in Madikeri Taluk as per Annexure-A and sought for interference of this Court.

5. Having heard the learned counsel appearing for the

parties and taking into consideration the averments made in the writ petition, the petitioner is directed to approach the respondent No.2-Deputy Commissioner through representation for allotment of alternative land in lieu of the land which has been granted in his favour in Survey No.71/1 of Naladi Village, Napoklu Hobli, Madikeri Taluk. If the petitioner makes such a -4- representation within two weeks from the date of receipt of this order, the respondent No.2-Deputy Commissioner shall consider the same in accordance with law and take decision in the matter to allot the suitable land for cultivation by the petitioner, within an outer limit of two months from the date of receipt of representation that may be made by the petitioner. With this observation, writ petition stands disposed of. SD/- (E.S. INDIRESH) JUDGE ARK List No.: 1 Sl No.: 28

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