

Savithramma vs State of Karnataka

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Court : Karnataka Orders

Decided On : Jul-01-2025

Judge : E.S.Indiresh

Appeal No. : WP/32940/2024

Appellant : Savithramma

Respondent : 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.32940 OF 2024 (KLR-RES) BETWEEN: SAVITHRAMMA W/O LATE YALLAKISWAMI AGED ABOUT 64 YEARS, R/AT NO.1792, 7TH CROSS ROAD, HALLAHALLI, MANDYA TALUK, PETITIONER (BY SRI. V.B. RAVISHANKAR, ADVOCATE) AND:

1. STATE OF KARNATAKA

REP. BY ITS SECRETARY, DEPARTMENT OF REVENUE, VIDHANA SOUDHA, BENGALURU - 560 001. Digitally signed by SHARMA ANAND 2. THE

ASSISTANT COMMISSIONER CHAYA Location: HIGH COURT OF MANDYA DISTRICT - 571 401. KARNATAKA

3. THE TAHASILDHAR

4. THE TECHNICAL ASSISTANT TO THE DEPUTY COMMISSIONER AND EX-OFFICIO DEPUTY DIRECTOR OF LAND RECORDS, MANDYA DISTRICT, MANDYA - 570 001. -2-

5. THE REVENUE INSPECTOR KOTHATHI-II HOBLI, KOTHATHI, MANDYA TALUK - 571 401.

6. H.B. YASHODA

W/O J. SHEKAPPA AGE: MAJOR, R/AT HALLAHALLI, MANDYA - 571 401. RESPONDENTS (BY SMT. NAVYA SHEKHAR, AGA FOR R1 TO R5) THIS WRIT PETITION IS FILED UNDER ARTICLES 226

AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER DATED 10TH JANUARY, 2024 PASSED BY THE RESPONDENT NO.2- ASSISTANT COMMISSIONER INSOFAR AS THE PETITIONER IS CONCERNED VIDE ANNEXURE-A; DIRECT THE RESPONDENT NO.3 TO ANNUL THE ENTRIES MADE ON THE BASIS OF THE IMPUGNED ORDER AND RESTORE THE ENTIRE IN RTC AS IT STOOD BEFORE 10TH JANUARY, 2024; 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. Navya Shekhar, learned Additional Government Advocate accepts notice for respondents 1 to 5. -3-

2. In this writ petition, the petitioner is assailing the

order dated 10th January, 2024 (Annexure-A) passed by the

respondent No.2; inter alia sought for direction to the respondent No.3 to change the entries made on the basis of the impugned order and restore the entries in RTC extracts as it stood before 10th January, 2024 in respect of the schedule property.

3. Smt. Navya Shekhar, learned Additional

Government Advocate appearing for respondents 1 to 5 raised preliminary objection with regard to maintainability of the writ petition on the ground that the petitioner is having efficacious remedy under Section 136(3) of the Karnataka Land Revenue Act, 1964.

4. In that view of the matter, without expressing any

opinion on merits of the case, the petitioner is relegated to approach the revisional authority under Section 136(3) of the Karnataka Land Revenue Act, 1964. If the petitioner approaches the revisional authority as stated above, the revisional authority shall condone the time spent by the petitioner before this Court. -4-

5. It is also made clear that , if the petitioner files

application, seeking stay of impugned order dated 10th January, 2024 (Annexure-A) passed by the respondent No.2, the revisional authority shall consider the same, within an outer limit of one week from the date of application. With this observation, writ petition stands disposed of. SD/- (E.S.INDIRESH) JUDGE ARK
List No.: 1 Sl No.: 32

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