

R Vanitha vs State of Karnataka

R Vanitha vs State of Karnataka

SooperKanoon Citation : sooperkanoon.com/1782689

Court : Karnataka

Decided On : Nov-03-2025

Judge : S Sunil Dutt Yadav

Appeal No. : WP/32388/2025

Appellant : R Vanitha

Respondent : State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF NOVEMBER, 2025 BEFORE THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV WRIT PETITION NO. 32388 OF 2025 (SCST-) BETWEEN: R. VANITHA AGED ABOUT 51 YEARS, R/AT NO.114, 13TH MAIN, IST STAGE, IST PHASE, GOKULA, MATHIKERE, BENGALURU - 560 054. PETITIONER (BY SRI. MUTTAGUPPI RAMACHANDRA PUTTA, ADVOCATE) AND:

1. STATE OF KARNATAKA REPRESENTED THROUGH ITS PRINCIPAL SECRETARY TO GOVERNMENT, DEPARTMENT OF

REVENUE, 3RD GATE, 5TH FLOOR, M.S.BUILDING, Digitally signed
DR. AMBEDKAR VEEDI, by VIDYA G R Location: HIGH BANGALORE -
560 001. COURT OF KARNATAKA

2. ASSISTANT COMMISSIONER OFFICE OF ASSISTANT
COMMISSIONER, NEAR COURT CIRCLE, KOLAR - 563 101.

3. RAMAKRISHNAPPA B.N., AGED ABOUT 64 YEARS, S/O
MUNIVENKATANABOVI, R/AT ERAGAMUTHINAHALLI, KASABA
HOBLI, MULABAGALU TALUK, KOLAR - 563 131. -2-

4. SAROJAMMA, AGED ABOUT 50 YEARS,

5. R. SRIKANTH, AGED ABOUT 45 YEARS S/O RAMAKRISHNAPPA,
KASABA HOBLI, MULBAGALU TALUK,

6. R. NETRAVATI,

AGED ABOUT 40 YEARS RESPONDENTS (BY SRI. V. SESHU, HCGP
FOR R1 AND R2; VIDE ORDER DATED 03.11.2025, NOTICE TO R3
TO R6 IS WAIVED) THIS W.P. IS FILED UNDER ARTICLES 226 AND
227 OF

THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER

PASSED BY THE R-2/ASSISTANT COMMISSIONER IN CASE
NO:PTCL/41/2023 DATED 24.06.2025 ENCLOSED HEREIN AS ANNEX-D AS
BEING ARBITRARY, ERRONEOUS AND OPPOSED TO LAW, AND ETC., -3-
THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER: CORAM: HON'BLE MR. JUSTICE S
SUNIL DUTT YADAV

ORAL ORDER

Learned High Court Government Pleader is directed to accept notice for
respondents No.1 and 2. Notice to respondents No.3 to 6 is waived, in light of the

petitioner being relegated to avail of the statutory remedy of appeal as regards the order at Annexure-D.

2. The order at Annexure-D is passed by the

Assistant Commissioner under the provisions of the Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 (for short 'the Act'). Noticing that as against the order of the Assistant Commissioner, there is a remedy of appeal under Section 5A of the Act, it would be appropriate that all contentions as raised in the present petition be kept open to be raised in the Appellate proceedings. -4-

3. Accordingly, the petition is disposed of. The

petitioner is at liberty to take appropriate steps to furnish the order at Annexure-D before the Appellate authority. In light of relegating the petitioner to the Appellate authority and noticing the apprehension of dispossession, the impugned order would be kept in abeyance for a period of four weeks. Appeal to be filed within a period of three weeks. Sd/- (S SUNIL DUTT YADAV) JUDGE MCR

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com