

Kallayya vs the State of Karnataka

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Court : Karnataka Orders

Decided On : Jul-25-2024

Judge : Pradeep Singh Yerur

Appeal No. : WP/110144/2016

Appellant : Kallayya

Respondent : The State of Karnataka

Judgement :

-1- IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH
DATED THIS THE 25TH DAY OF JULY, 2024 BEFORE THE HON'BLE
MR JUSTICE PRADEEP SINGH YERUR WRIT PETITION NO.110144
OF 2016 (LR) BETWEEN: KALLAYYA S/O KALAKAYYA
KONGADIHIREMATH

1. MALLAYYA @ HIEMATH, AGE: 58 YEARS, OCC: DRIVER, R/O:
ALUR,

2. SHANKARAYYA

@ HIEMATH, AGE: 55 YEARS, OCC: AGRICULTURE, R/O: ALUR, NOW AT:
ANJANEYA MILL COLONY Digitally signed by MAHANTAYYA NARAYANKAR
Location: HIGH COURT OF NARAYANKAR KARNATAKA DHARWAD BENCH

Date: 2024.07.26 +0530

3. SACHIN S/O MAHANTAYYA R/O: ALUR, TQ: YALBURGA, DIST: KOPPAL
4. SONI D/O MAHANTAYYA SINCE MINOR R/BY PETITIONER NO.3, I.E., HIS BROTHER. -2- SHARANAYYA S/O KALLAYYA SINCE DECEASED BY HIS LRS
5. UMA W/O SHARANAYYA AGE: 40 YEARS, OCC: AGRICULTURE,
6. SHARAT S/O SHARANAYYA PETITIONERS (BY SRI H.N. GULARADDI, ADVOCATE) AND:

1. THE STATE OF KARNATAKA, R/BY ITS SECRETARY, DEPARTMENT OF REVENUE, VIDHANA SOUDHA, VIDHANA VEDHI, BANGALORE.

2. THE LAND TRIBUNAL YALBURGA, R/BY ITS SECRETARY, YALBURGA, TQ: YALBURGA, DIST: KOPPAL.

3. SHIVAPPA S/O FAKIRAPPA TUMBARGUDDI, AGE: 45 YEARS, OCC: AGRICULTURE, R/O: CHIKKENAKOPPA, TQ: YELBURGA,

4. DEVENDRAPPA S/O HUCHAPPA GURIKAR, AGE: 80 YEARS, OCC: AGRICULTURE, R/O: BATAPANAHALLI, TQ: YELBURGA, RESPONDENTS (BY SMT. GIRIJA S. HIEMATH, HCGP FOR R1 & R2) -3- THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227

OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT AND QUASH THE IMPUGNED ORDER DATED 27.05.1998 IN NO.LR.TENANCY:SR:1738:79:80 PASSED BY THE LAND TRIBUNAL YELBURGA IS PRODUCED ALONG WITH THE WRIT PETITION AS ANNEXURE-E, IN SO FAR RIGHTS OF THE PETITIONERS IN CONCERNED, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

There is no representation on behalf of petitioners. Matter is of the year 2016. Earlier it was dismissed on 29.01.2019 for non prosecution. Thereafter, at the behest of the petitioner, it was restored. Again the petitioner was granted several opportunities to rectify the objections raised by the registry, but he has not utilized the same. Despite restoring the matter he has not complied the objections. It is seems he is not interested in prosecuting the matter, hence petition is dismissed for non prosecution. Sd/- JUDGE CKK CT:BCK LIST NO.: 1 SL NO.: 2

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