

Ravikumar D R vs the State of Karnataka

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Court : Karnataka

Decided On : Dec-02-2024

Judge : M.I.Arun

Appeal No. : WP/36554/2018

Appellant : Ravikumar D R

Respondent : The State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF DECEMBER, 2024 BEFORE THE
HON'BLE MR JUSTICE M.I.ARUN WRIT PETITION NO.36554 OF 2018
(KLR-LG) BETWEEN:

1. RAVIKUMAR D.R. S/O LATE RAJEGOWDA, AGED ABOUT 35 YEARS, R/O. HOSAKERE VILLAGE, MADDUR TALUK MANDYA DISTRICT-573 218.
2. PRASANNA M.S. AGED ABOUT 33 YEARS S/O.M.K.SWAMY R/O. SRIRANGALA VILLAGE SOMWARAPET TALUK Digitally KODAGU

DISTRICT-571 232. signed by H K HEMA

3. DEVARAJA A.S. Location: S/O SHIVANANJAPPA High Court of Karnataka AGED ABOUT 38 YEARS, R/O. ABBURU VILLAGE, K.R. NAGARA TALUK, MYSORE DISTRICT-573 211.

4. MARISHETTY S/O LATE NINGASHETTY, AGED ABOUT 43 YEARS, R/O. CHIKKANAHALLI, KASABA HOBLI, ARAKALAGUD TALUK, HASSAN DISTRICT-573 201. -2-

5. H.B. RAMESH S/O LATE BYRASHETTY AGED ABOUT 45 YEARS, R/O. HULIKALLU VILLAGE, ARAKALAGUDU TALUK HASSAN DISTRICT-573 201.

6. POONACHA T.K. S/O KUTTAPPA T.A. AGED ABOUT 39 YEARS, R/O. KOKERI VILLAGE, NAPOOKLU HOBLI, MADIKERI TALUK, KODAGU DISTRICT-571 232. PETITIONERS (BY SRI SUMANTH L. BHARADWAJ, ADVOCATE) AND:

1. THE STATE OF KARNATAKA REPRESENTED BY ITS PRINCIPAL SECRETARY REVENUE DEPARTMENT, BANGALORE-560 001.

2. THE DEPUTY COMMISSIONER HASSAN DISTRICT HASSAN-573 201.

3. THE ASSISTANT COMMISSIONER SAKALESHPURA TALUK HASSAN DISTRICT-573 134.

4. THE THASILDHAR ARKALAGUD TALUK, ARKALGUD-573 102. RESPONDENTS (BY SRI HARISH A.S., AGA) -3- THIS PETITION IS FILED UNDER ARTICLES 226 & 227 OF

THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ENDORSEMENT DATED 15.06.2018 BEARING NO.L.N.D.S.R PERITINOER NO.1 IS CONCERNED. A COPY OF THE SAID ENDORSEMENT IS HEREWITH SUBMITTED AS ANNEXURE-A, ETC.

THIS PETITION COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THROUGH PHYSICAL HEARING/VIDEO CONFERENCING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER: CORAM: HON'BLE MR JUSTICE M.I.ARUN

ORAL ORDER

1. The case of the petitioners is that they are

ex-servicemen and they have requested for grant of land. The same has been rejected on the ground that they are having excess income than the ceiling limit. However, the petitioners submits that presently they do not have excess income as alleged, as the ceiling limit has now been enhanced and they are qualified to have the land granted in their name.

2. Learned Additional Government Advocate appearing

for respondents fairly submits that the impugned endorsements may be set aside and the matter may be -4- remanded back to respondent No.4 - Tahsildar with a direction to consider the case of the petitioners in accordance with law and pass appropriate orders.

3. His submission is placed on record.

4. Hence, the following

ORDER

i. The impugned endorsement dated 15.06.2018 bearing No.L.N.D.S.R 31/2016-17 issued by respondent No.4 vide Annexure- 'A' to the writ petition; the impugned endorsement dated 15.06.2018 bearing No.L.N.D.S.R 30/2016-17 issued by respondent No.4 vide Annexure- 'A1' to the writ petition; the impugned endorsement dated 15.06.2018 bearing No.L.N.D.S.R Annexure- 'A2' to the writ petition; the impugned endorsement dated 15.06.2018 bearing No.L.N.D.S.R 66/2016-17 issued

by respondent No.4 vide Annexure- 'A3' to the writ petition; the impugned endorsement dated 15.06.2018 bearing No.L.N.D.S.R 65/2016-17 issued by respondent No.4 vide Annexure- 'A4' to the writ -5-

petition; the impugned endorsement dated 15.06.2018 bearing No.L.N.D.S.R 217/2016-17 issued by respondent No.4 vide Annexure- 'A5' to the writ petition are hereby set aside. ii. The matter is remanded back to respondent No.4 to consider the case of the petitioners afresh in accordance with law and pass appropriate orders thereafter within a period of four months from the date of receipt of a certified copy of this order. iii. Accordingly, the writ petition is disposed of. SD/- (M.I.ARUN) JUDGE VMB List No.: 1 Sl No.: 50

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