

Nagappa Vs. State of Karnataka

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Court : Karnataka

Decided On : Aug-01-1986

Reported in : ILR1986KAR3093

Judge : Jagannatha Shetty, Ag. C.J. and ; Venkatesh, J.

Acts : [Constitution of India](#) - Article 226

Appeal No. : W.A. No. 1856 of 1986

Appellant : Nagappa

Respondent : State of Karnataka

Advocate for Def. : S. Rajendra Babu, Govt. Adv.

Advocate for Pet/Ap. : R. Gopal, Adv.

Judgement :

ORDER

Jagannatha Shetty, Ag. C.J.

1. This appeal is directed against the order dated April 2, 1986 of the learned Single Judge dismissing W.P.No. 2518 of 1986. The petitioners therein are some persons interested either in purchasing or disposing of their landed properties. They apprehend that the Circular issued by the second respondent, which has been filed as Annexure 'B' to the Writ Petition, requiring the registering authority to

value the property at the rates mentioned therein would affect their interest, if any registration is to be made. The case of the appellants is that similar Circular has been held to be invalid by several decisions of this Court and in particular the decisions of this Court in M.G. Kulkarni -v.- State of Karnataka, : ILR 1985 KAR2152 and Nagaraja -v.- State of Karnataka, : ILR 1985 KAR4113 .

2. We have perused the said decisions and also the averments made in the Writ Petition. In our opinion, it is not necessary for every person to approach this Court for a relief similar to the one already granted by this Court in the aforesaid decisions. If a decision has been rendered by this Court, it would be proper for the authorities to follow and extend the benefit of that decision in like cases coming before them. That should be the guiding principle to be borne in mind in the administration. It is not proper to drive every person to seek relief in this Court. It is indeed the duty of the authorities to extend the benefits of the concluded decision of this Court to all other similar cases.

3. In our view, it is wholly unnecessary for the appellants to approach this Court by way of Writ Petitions. In view of the law laid down by this Court in the aforesaid decisions, which binds all the registering authorities in the State in the similar circumstances, it is not necessary to entertain the Writ Petition of the appellants.

With the above observations, the appeal stands disposed of.

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