



CNR: KAHC010316502026

NC: 2026:KHC:45903
WP No. 14561 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO.14561 OF 2026 (LR)

BETWEEN:

1. BABU SHETTY
SINCE DECEASED HIS WIFE
SMT. USHA B. SHETTY
W/O LATE BABU N SHETTY
AGED ABOUT 73 YEARS
R/AT 3-53, MARAVOORBEEDU HOUSE
KENJAR POST, MARAVOOR, KENJAR
MANGALORE, DAKSHINA KANNADA DISTRICT
KARNATAKA-574144.

...PETITIONER

(BY SRI. DHANANJAY KUMAR, ADVOCATE)

AND:

Digitally signed by
CHANDRA S A
Location: HIGH
COURT OF
KARNATAKA

1. THE STATE OF KARNATAKA
DEPARTMENT OF REVENUE
M.S. BUILDINGS, BENGALURU 560 001.
REPRESENTED BY ITS PRINCIPAL SECRETARY.
2. THE COMPETENT AUTHORITY
MANGALORE TALUK
REPRESENTED BY D.R. DISTRICT COLLECTOR'S
HEAD QUARTERS ASSISTANT-575 001.
3. THE DEPUTY COMMISSIONER
DAKSHINA KANNADA DISTRICT
MANGALORE TALUK - 575001.



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4. BOSTHYAM KUNZHI
AGED MAJOR
THENKAYEKKARU, PERMUDE
MANGALORE TALUK - 574 509.
5. PEJAVARA MUTT
REPRESENTED BY ITS PRESIDENT
TEMPLE CAR STREET, SRI KRISHNA TEMPLE
COMPLEX, UDUPI, KARNATAKA 576101.
6. HONAMMA SHEDTHI
AGED MAJOR
KANDIGA HOSMANE, HALEYANGADI
MANGALORE TALUK
DAKSHINA KANNADA - 574 146.

...RESPONDENTS

(BY SMT. SHARADA .H.V , AGA FOR R1 TO R3)

THIS WP IS FILED UNDER ARTICLES NO. 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF CERTIORARI TO SET ASIDE THE ORDER OF THE LAND TRIBUNAL, MANGALORE, IN L.R.T. NO. 751/2000-01 DATED 11-02-2002 VIDE ANNEXURE-A 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

Learned Additional Government Advocate accepts notice for the respondent Nos.1 to 3.



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2. In this writ petition, the petitioner is assailing the order dated 11.02.2002 (Annexure-A), *inter-alia*, sought for direction to respondent No.2 to consider the application made by the deceased husband of the petitioner (Annexure-B), in accordance with law.

3. Having heard the learned counsel appearing for the parties and on careful consideration of the impugned orders as well as Form No.7, it is noticed that the petitioner is assailing the order dated 11.02.2002 (Annexure-A) after a lapse of 24 years. Accordingly, the writ petition deserves to be dismissed on the ground of delay and laches, as no satisfactory or substantial reason has been assigned in the writ petition to explain or condone the inordinate delay of more than two decades, particularly, in view of the judgments of the Hon'ble Supreme Court in the case of **STATE OF ORISSA & ANOTHER Vs. MAMATA MOHANTY¹** and **MRINMOY MAITY**

¹ AIR 2011 SCW 1332



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***VS. CHHANDA KOLEY², in the case of SHIVAMMA
(DEAD) BY LRS VS. KARNATAKA HOUSING BOARD
AND ORS³.***

4. It is also to be noted that the impugned order at Annexure-A has been passed at the instance of the husband of the petitioner. In that view of the matter, I am of the view that no interference is called for in this writ petition.

Accordingly, the writ petition is ***dismissed*** on the ground of delay and laches.

**Sd/-
(E.S.INDIRESH)
JUDGE**

NBM
List No.: 1 SI No.: 28

² 2024 SCC OnLine SC 551

³ 2025 SCC Online SC 1969