IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE RAJESH RAI K

WRIT PETITION NO. 49222 OF 2016 (KLR-RES)

C/W

WRIT PETITION NO. 49223 OF 2016 (KLR-REG)

IN WP No. 49222/2016

BETWEEN:

1. MRS K GOWRAMMA
   W/O LATE K.S.GOPALAKRISHNA BHAT
   AGED 82 YEARS,

2. MR. U GOVINDA BHAT
   S/O LATE K.S.GOPALAKRISHNA BHAT
   AGED 62 YEARS,

3. MR. K RAMESH BHAT
   S/O LATE K.S.GOPALAKRISHNA BHAT
   AGED 52 YEARS,

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4. MRS. K VEENA
   D/O LATE K.S.GOPALAKRISHNA BHAT
   AGED 50 YEARS,

5. MR. K DINESH BHAT
   S/O LATE K.S.GOPALAKRISHNA BHAT
   AGED 48 YEARS,

   ALL ARE R/AT IDIKIDU VILLAGE
   AND POST BANTWAL TQ,
   D.K.DISTRICT-574 220
   ALL REP BY GPA HOLDER MR. U GOVINDA BHAT

...PETITIONERS

(BY SRI. N SUKUMAR JAIN, ADVOCATE)

AND:

1. STATE OF KARNATAKA BY ITS
REVENUE DEPARTMENT
MULTISTOREY BUILDING
BANGALORE - 560 001.

2. DEPUTY COMMISSIONER
MANGALORE
D.K.DISTRICT - 575 001.

3. TAHSILDAR
BANTWAL,
D.K.DISTRICT - 575 002

…RESPONDENTS

(BY SRI. RAHUL CARIAPPA K.S, AGA

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT R-3 TO PASS THE ORDER AS PER THE REPRESENTATION OF THE PETITIONER VIDE ANNEX-B DTD.23.11.2009, IN TERMS OF THE LEASE DEED VIDE ANNEX-A DTD.19.4.1958 EXECUTED BY THE R-3.

IN WP NO. 49223/2016

BETWEEN:

MR ASHOK BHAT A.K
S/O LATE A KRISHNA BHAT
AGED 40 YEARS,
AT SRI GANGANILAYA HARADY
PUTTUR TQ, D.K.DISTRICT

...PETITIONER

(BY SRI. N SUKUMAR JAIN, ADVOCATE)

AND:

1. STATE OF KARNATAKA BY ITS
REVENUE DEPARTMENT,
MULTISTOREY BUILDING,

BANGALORE-560 001

2. DEPUTY COMMISSIONER
MANGALORE
D.K.DIST-575 001

3. TAHSILDAR
BANTWAL
D.K.DIST

...RESPONDENTS

(BY SRI. RAHUL CARIAPPA K.S, AGA)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT R-2 TO PASS THE ORDER AS PER THE REPRESENTATION OF THE PETITIONER VIDE ANNEX-B DTD.14.6.2007 IN TERMS OF THE LEASE DEED VIDE ANNEX-A DTD.15.7.1958 EXECUTED BY THE R-3.

THESE PETITIONS, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

In W.P.No.49222/2016, the petitioners are seeking a writ of mandamus directing respondent No.2-Deputy Commissioner to consider the representation of the petitioners dated 23.11.2009 in terms of the Lease Deed at Annexure-'A' dated 19.04.1958 executed by respondent No.3 and to quash communications at Annexures-'C' and 'D' dated 10.11.2014 and 16.01.2014 issued by respondent Nos.2 and 1 respectively.

2. In W.P.No.49223/2016, petitioner is seeking a writ of mandamus directing respondent No.2-Deputy Commissioner to consider the representation of the petitioner dated 14.06.2007 at Annexure-'B' in terms of the Lease Deed marked at Annexure-'A' dated 15.07.1958 executed by respondent No.3 in W.P.No.49223/2016 and to quash the communication at Annexure-'D' dated 16.01.2014 issued by respondent No.1.

3. The grievance of the petitioners in W.P.No.49222/2016 is that they are in possession of land bearing Sy.No.116/2 measuring 12 acres 75 cents situated at Idikidu Village, Bantwal Taluk, D.K. District (for brevity, "**Subject land**") as per Lease Deed dated 19.04.1958 at Annexure-'A'. Thereafter, petitioners approached the Deputy Commissioner and Tahsildar repeatedly, for grant of subject land by conducting an enquiry. Despite, the Deputy Commissioner and the concerned authority have failed to consider the representation and finally issued Annexure-'H' on 16.01.2014 stating that grant of lands as per the Lease Deed is not yet finalized.

4. The grievance of the petitioner in W.P.No.49223/2016 is that he is in possession of land measuring 91 cents in Sy.No.208/1A and land measuring 3 acres 25 cents in Sy.No.209/1A, both situated at Kairangala Village, Bantwal Taluk, D.K District (for brevity, "**Subject land**") as per Lease Deed dated 15.07.1958 at Annexure-'A'. Thereafter, the petitioner approached the Deputy Commissioner, for grant of subject land by conducting an enquiry. As such, spot inspection was conducted and a report was accordingly submitted to the Deputy Commissioner. However, vide communication at Annexure-'D' dated 16.01.2014, the State issued directions to the Deputy Commissioner stating that grant of lands as per the Lease Deed is not yet finalized.

5. Learned counsel for the petitioners submits that though 11 years have lapsed after issuing communication dated 16.01.2014 and though nearly 18 years have lapsed from the date of the representations of the petitioners, the Deputy Commissioner has not yet finalised the issue of grant of lands to the petitioners as per their representations submitted in the

years 2007 and 2009 respectively. As such, he prays to issue a writ of mandamus.

6. In view of the claim of the petitioners as per their representations, I am of the considered view that the prayer of the petitioners requires to be considered. Accordingly, Writ Petitions are ***allowed***.

7. The writ of mandamus is issued in both the petitions. The Deputy Commissioner is directed to consider the representations of the petitioners dated 23.11.2009 and 14.06.2007 respectively in accordance with law by extending opportunity to the petitioners, within an outer limit of six months from the date of receipt of certified copy of these orders.

SD/-
(RAJESH RAI K)
JUDGE

HKV
List No.: 1 Sl No.: 22