HC-KAR

CNR: KAHC010303132026

NC: 2026:KHC:63792-DB
WP No. 13772 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF NOVEMBER, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE K.S.BHARATH KUMAR

WRIT PETITION NO. 13772 OF 2026 (GM-RES-PIL)

BETWEEN:

1. PADMAVATHI B.
   W/O GANGADHAR B. SHETTY,
   AGED ABOUT 43 YEARS,
   R/AT NO.2-40(1), SHIVANAGA,
   BHANDIMATHA, HOSAMANE, KURADI POST,
   HANEHALLI, UDUPI TALUK,
   UDUPI DISTRICT - 576210.

2. SHARADA BAI
   W/O KOOSA NAIK,
   AGED ABOUT 79 YEARS,
   (SENIOR CITIZEN BENEFIT NOT CLAIMED)
   R/AT NO.2-20-2, BANDIMATTA,
   KURADI POST, HANEHALLI,
   UDUPI TALUK,
   UDUPI DISTRICT - 576210.

3. SAVITHA SHETTY
   C/O VASANTH SHETTY,
   AGED ABOUT 42 YEARS,
   R/AT VEERABHADRESHWARA NILAYA,
   BELUR ROAD, VIJAYANAGARA 2ND STAGE,
   TANNIRUAHALLA, BEHIND INCOME TAX OFFICE,

Digitally signed by RAKSHA
Location: high court of karnataka

HASSAN TALUK,
HASSAN DISTRICT - 573201.

4. UDAY K. POOJARY
S/O KUSTU POOJARY,
AGED ABOUT 56 YEARS,
R/AT NO.2-59, NANDA NILAYA,
BHANDIMATTA KURADY,
HANEHALLI, HANEHALLI,
UDUPI TALUK,
UDUPI DISTRICT - 576210.

5. VITTAL SHETTY
S/O SHEENAPPA SHETTY,
AGED ABOUT 87 YEARS,
(SENIOR CITIZEN BENEFIT NOT CLAIMED),
R/AT NO.2-40, BHANDIMATTA,
NEAR ESHWARA TEMPLE, KURADY,
HANEHALLI, HANEHALLI POST,
UDUPI TALUK,
UDUPI DISTRICT - 576210.

6. RAJESH ADIGA
AGED ABOUT 50 YEARS,
R/AT NO.2-48, BANDIMATA,
KOORADY POST, HANEHALLI,
UDUPI TALUK,
UDUPI DISTRICT - 576210.

…PETITIONERS

(BY SRI. AKASH V.T., ADVOCATE)

AND:

1. DEPUTY COMMISSIONER
UDUPI DISTRICT,

RAJATHADRI, MANIPAL,
UDUPI-576 104.

2. CHIEF EXECUTIVE OFFICER
ZILLA PANCHAYAT,
RAJATHADRI, MANIPAL,
UDUPI DISTRICT-576104.

3. THE EXECUTIVE ENGINEER,
PANCHAYAT RAJ ENGINEERING SUB-DIVISION,
RAJATHADRI, DC OFFICE COMPLEX,
C BLOCK, 1ST FLOOR, MANIPAL,
UDUPI-576 104.

4. ASSISTANT EXECUTIVE ENGINEER,
PANCHAYAT RAJ ENGINEERING SUB-DIVISION,
RAJATHADRI, DC OFFICE COMPLEX,
C BLOCK, 1ST FLOOR, MANIPAL,
UDUPI-576 104.

5. PANCHAYAT DEVELOPMENT OFFICER,
HANEHALLI GRAM PANCHAYAT,
BRAHMAVAR TALUK,
UDUPI DISTRICT, UDUPI- 576210.

6. POLICE SUB INSPECTOR
BRAHMAVRA POLICE STATION,
BRAHMAVARA TALUK,
UDUPI DISTRICT, UDUPI- 576210.

7. SMT. GAYATHRI,
W/O PRAVEEN ACHARYA
AGED ABOUT 45 YEARS,
R/AT HERADI VILLAGE,
RANGANAKERE, BARKUR POST,
BRAHMAVAR TALUK,
UDUPI DISTRICT-576 210.

8. SHRI. PRAVEEN ACHARYA,
S/O VASUDEV ACHARYA,
AGED ABOUT 50 YEARS,
HERADI VILLAGE, RANGANKERE,
BARKUR POST, BRAHMAVAR TALUK,
UDUPI DISTRICT-576 210.

…RESPONDENTS

(BY SRI. KHAMROZ KHAN, AGA FOR R1,
SRI. ASHOK N. NAYAK, ADVOCATE FOR R3 & R4,
SRI. K. CHANDRANATH ARIGA, ADVOCATE FOR R7 & R8,
R2, R5 & R6 - SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE INDIAN CONSTITUTION, 1950 R/W RULE 14(1) OF THE HIGH COURT OF KARNATAKA (PUBLIC INTEREST LITIGATION) RULES, 2018, PRAYING TO a) ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, QUASHING THE IMPUGNED ORDER DATED 28.02.2025 PASSED BY RESPONDENT NO.3, PRODUCED AT ANNEXURE-A, BEARING NO NO.P.R.E.D.U/AE-1 ROAD CUTTING 2024-2025/3959; b) ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, DIRECTING RESPONDENT NO.6 TO ENSURE THAT RESPONDENT NOS.7 AND 8, THEIR AGENTS, SERVANTS OR ANYBODY CLAIMING UNDER THEM, FROM PROCEEDING WITH OR CARRYING OUT ANY PIPELINE WORK THROUGH THE PANCHAYAT ROAD OR TRANSPORTATION OF WATER FROM HANEHALLI VILLAGE TO HERADI VILLAGE; AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE K.S.BHARATH KUMAR

ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

1. This writ petition is filed challenging Annexure-A which is the permission granted for laying a pipeline from the property belonging to the private respondent to another premises of his.

2. Heard Sri.Murthy Dayanand Naik, learned Senior counsel along with Sri.Akash V T, learned counsel appearing for the petitioner and Sri.Khamroz Khan, learned counsel appearing for respondent No.1, Sri.Ashok N.Nayak, learned counsel appearing for respondent Nos.3 and 4 and Sri. K.Chandranath Ariga, learned counsel appeaing for respondent Nos.7 and 8.

3. The grounds raised in the writ petition are with regard to the statutory power of respondent No.3 to permit installation of private pipeline and drawing of water lines from one village to another. Further, the grounds are

raised with regard to depletion of ground water on account of the permission granted as per Annexure- A.

4. We find that Annexure-A is the permission granted specifically for laying of a pipeline. Learned counsel appearing for the contesting private respondent submits that, laying of the pipeline is complete and that the pipeline is being laid from one private property of the private respondent to another. It is submitted that the expenses for the same have been borne by the private respondent and that the road has also been re-constructed to its original state and that there is no damage caused to the P.W.D roads on account of laying of the pipeline which was undertaken through the side of the road.

5. Having considered the contentions advanced, we are of the opinion that since the prayer in the writ petition is only as against Annexure-A, and since learned counsel appearing for the respondent submits that the work is complete and no damage has been caused to the road in

question, the further contentions with regard to drawing of the ground water cannot be considered in these proceedings. The writ petition is accordingly ***closed***.

6. However, it is made clear that we have not considered any contention with regard to depletion of ground water, which do not arise for consideration in this writ petition.

Sd/-
(ANU SIVARAMAN)
JUDGE

Sd/-
(K.S.BHARATH KUMAR)
JUDGE

GH / List No.: 1 Sl No.: 9