HC-KAR

NC: 2026:KHC:59499
WP No. 19395 of 2022

CNR: KAHC010440002022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 19395 OF 2022 (SC/ST)

BETWEEN:

MOKSHA V
W/O V VEERENDRA
SINCE DECEASED BY HER LEGAL HEIRS

1. V VEERENDRA
S/O LATE VIDRAVATH
AGED ABOUT 69 YEARS,
NO.118/1, 2ND CROSS,
2ND STAGE, OKALIPURAM
BENGALURU - 560021.

2. SMT. KSHAMA VEERENDRA
D/O V VEERENDRA
AGED ABOUT 45 YEARS,
NO.118/1, 2ND CROSS,
2ND STAGE, OKALIPURAM,
BENGALURU - 560021.

Digitally signed by PREMCHANDRA M R
Location: HIGH COURT OF KARNATAKA

...PETITIONERS

(BY SRI. PRAKASHA HEGDE K., ADVOCATE - ABSENT)

AND:

1. THE DEPUTY COMMISSIONER
BENGALURU RURAL DISTRICT
1ST FLOOR, BEERASANDRA VILLAGE,
KUNDANA HOBLI,
DEVANAHALLI TALUK-562110.

2. THE ASSISTANT COMMISSIONER
DODDABALLAPURA SUB DIVISION,
DODDABALLAPURA-561203.

3. MUNIYAPPA K.,
S/O. KUNTA MUNIYAPPA
AGED ABOUT 60 YEARS,
R/AT ALUR DODDANAHALLI VILLAGE
KUNDANA HOBLI, DEVANAHALLI TALUK-562110,
BENGALURU RURAL DISTRICT

…RESPONDENTS

(BY SMT. SPOORTHI V., HCGP FOR R1 AND R2;
SRI. M.S.SHYAMSUNDAR, SENIOR ADVOCATE FOR
SRI. H.V.MANJUNATHA, ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN RELIEFS.

THIS WRIT PETITION IS LISTED FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Though matter called twice, there is no representation on behalf of counsel for the petitioners.

Smt.Spoorthi.V., High Court Government Pleader., for respondent Nos.1 and 2 and Sri.M.S.Shyamsundar., Senior

counsel appearing on behalf of Sri.H.V.Manjunatha., for respondent No.3 appeared in person.

2. The petition is filed seeking a writ of certiorari to quash the order passed by the Assistant Commissioner. This order is challenged in this writ petition on several grounds as set out in the memorandum of the writ petition.

3. Counsel for the respective parties advanced several contentions.

Senior Counsel appearing for respondent No.3 submits that an appeal against the order passed by the Assistant Commissioner lies before the Deputy Commissioner. However, the petitioners have failed to avail themselves of the said statutory remedy. Accordingly, the Senior Counsel contends that the writ petition is not maintainable.

4. This Court has heard the arguments advanced by the counsel for the parties and carefully perused the records.

5. A perusal of the prayer sought in the writ petition indicates that the petitioners have called into question the order passed by the Assistant Commissioner. An efficacious statutory remedy of appeal before the Deputy Commissioner is available against the said order. In view of the availability of such an alternative statutory remedy, this Court declines to exercise its writ jurisdiction. Accordingly, the writ petition stands ***dismissed***. Petitioners may approach the appropriate forum, if so advised and if the law permits.

On dismissal of the Writ Petition, any interim order stands discharged, and any pending interlocutory applications, if any, are disposed of.

Sd/-
(JYOTI M)
JUDGE

CH
List No.: 1 Sl No.: 5.1