HC-KAR

CNR: KAHC010471552026

NC: 2026:KHC:62122-DB
WP No. 21221 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH 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. 21221 OF 2026 (GM-RES-PIL)

BETWEEN:

1. JAGANNATH S. M.,
   S/O. LATE MUDALAGIRIYAPPA,
   AGED ABOUT 52 YEARS,
   BHOVI COLONY, SIRA TOWN,
   TUMAKURU DISTRICT-572137.

2. RAMAKRISHNA,
   S/O. RAMANNA,
   AGED ABOUT 60 YEARS,
   LADPURA, BANNINAGARA,
   SIRA TOWN,
   TUMAKURU DISTRICT-572137.

...PETITIONERS

(BY SRI. KESHAV R. AGNIHOTRI, ADVOCATE)

AND:

1. STATE OF KARNATAKA SECRETARY,
   (MUNICIPAL AFFAIRS)
   URBAN DEVELOPMENT DEPARTMENT,
   4TH FLOOR, VIKASA SOUDHA,
   BENGALURU-560001.

Digitally signed by RAKSHA
Location: high court of karnataka

2. REGIONAL COMMISSIONER,
BENGALURU DIVISION,
BMTC BUILDING, SHANTHI NAGAR,
BENGALURU-560027.

3. THE DIRECTOR,
DIRECTORATE OF MUNICIPAL ADMINISTRATION,
9TH FLOOR, V.V.TOWER,
DR. AMBEDKAR VEEDI,
BENGALURU-560001.

4. THE DEPUTY COMMISSIONER,
DEPUTY COMMISSIONER OFFICE,
TUMAKURU,
TUMAKURU DISTRICT-572137.

5. THE MUNICIPAL COMMISSIONER,
CITY MUNICIPAL COUNCIL, SIRA TOWN,
SIRA-572137.

6. JISHON MOHHAMMED,
S/O. LATE ALLABAKASH,
AGED ABOUT 42 YEARS,
R/AT. BEGUM MOHALLA, SIRA TOWN,
SIRA-572137.

PRESENT PRESIDENT, (CMC)
CITY MUNICIPAL COUNCIL,
SIRA-572137.

7. BURHAN MOHAMMED
S/O. LATE ALLABAKASH,
AGED ABOUT 39 YEARS,
R/AT. BEGUM MOHALLA, SIRA TOWN,
SIRA-572137.

…RESPONDENTS

(BY SMT. PRAMODHINI KISHAN, AGA FOR R1 TO R4.
SRI. RAJU S., ADVOCATE FOR R5
R6 AND R7 SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO a) TO CALL FOR ENTIRE RECORDS ON THE FILE OF THE RESPONDENT NO.5, THE MUNICIPAL COMMISSIONER, CMC, SIRA TOWN WITH REGARD TO THE SUBJECT MATTER i.e., IN RESPECT OF SY. NOS.5 & 6, SITUATED AT SIRA TOWN, KASABA HOBLI, SIRA, IN THE ABOVE WRIT PETITION; 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. We have heard learned counsel appearing for the petitioners quite an extensive.

2. This writ petition is filed with the following prayers;

> "*a) To call for entire records on the file of the Respondent no.5, the Municipal Commissioner, CMC, Sira Town with regard to the subject matter i.e., in respect of Sy. Nos.5 & 6, situated at Sira Town, Kasaba Hobli, Sira, in the above Writ Petition;*

b) To issue writ/order/direction in the nature of ***CERTIORARI*** *quashing the Impugned Order issuing e-swathu, A-Khata in favour of Respondent Nos.6 & 7 in PID No.45-502-80, dated:01/06/2024, 45-11-135 and 36-11D-108 dated 16-08-2024 and 15-06-2026 vide* ***Annexures-J, J1, J2.***

c) To pass a writ/order/direction in the nature of ***MANDAMUS*** *directing the Respondent No.5 to hold and deal further transaction afresh, with respect to the land bearing survey No.5 and 6, viz., the Government Gomala land situated at Sira Town, Kasaba Hobli, Sira, in accordance with law.*

d) To direct to the Respondent No.1 and 2 to conduct a disciplinary enquiry against the Respondent No.5 with regard to the impugned order and consequently disqualify the Respondent No.6 and 7 from discharging their duties,

AND

e) Grant such other reliefs as this Hon'ble Court may deem fit to grant in the circumstances of the case, along with suitable cost of the above Writ Petition"

3. We notice from the documents produced by the petitioners along with the writ petition that the property

had been allotted by the Government to the Karnataka Slum Development Board and that the allotments in question have been made by the Karnataka Slum Development Board.

4. We are of the opinion that the writ petition filed against respondent No.5 seeking quashing of the Hakku Patras and 'A'-Khatas in favour of the private respondents is not maintainable, since respondent No.5 was not the owner of the property and had not issued the Hakku Patras in question. The Hakku Patras produced along with the writ petition are those issued by the Karnataka Slum Development Board.

5. Learned counsel for respondent No.5 submits that the scheme has already been implemented and Hakku Patras have been issued to hundreds of persons.

6. In the above view of the matter, we are of the opinion that the writ petition filed with the prayers as stated above is not maintainable. The writ petition is

accordingly ***closed,*** with liberty to the petitioners to file a proper writ petition with proper parties and pleadings.

Sd/-
(ANU SIVARAMAN)
JUDGE

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

GH
List No.: 1 Sl No.: 13