HC-KAR
CNR: KAHC010758062026

NC: 2026:KHC:62306
WP No. 34261 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO. 34261 OF 2026 (KLR-RES)

BETWEEN:

1. LEKA M SHETTY
AGED ABOUT 76 YEARS,
W/O MAHESH R SHETTY,
RESIDING AT SHIVA-SIDDU FARM,
SHIRIYARA VILLAGE, SAIBRAKATTE POST,
BRAHMAVAR TALUK,
UDUPI DISTRICT - 576 210.

2. PUSHPA R RAI
AGED ABOUT 72 YEARS,
W/O LATE RAMESH RAI,
RESIDING AT SHIVA-SIDDU FARM,
SHIRIYARA VILLAGE,
SAIBRAKATTE POST,
BRAHMAVAR TALUK,
UDUPI DISTRICT - 576 210.

3. SHARANYA H SHETTY
AGED ABOUT 72 YEARS,
W/O LATE RAMESH RAI,
RESIDING AT SHIVA-SIDDU FARM,
SHIRIYARA VILLAGE, SAIBRAKATTE POST,
BRAHMAVAR TALUK,
UDUPI DISTRICT - 576 210

...PETITIONERS

(BY SRI. SAMPAT ANAND SHETTY.,ADVOCATE)

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

AND:

1. THE STATE OF KARNATAKA
   REPRESENTED BY ITS SECRETARY,
   DEPARTMENT OF REVENUE,
   VIDHANA SOUDHA, BANGALORE 560 001.

2. THE DEPUTY COMMISSIONER
   OFFICE OF DEPUTY COMMISSIONER,
   OFFICE AT RAJATADRI, MANIPAL,
   UDUPI DISTRICT - 576 104.

3. THE ASSISTANT COMMISSIONER
   SUB- DIVISION, KUNDAPUR,
   ASSISTANT COMMISSIONER'S OFFICE,
   MINI VIDHANA SOUDHA,
   KUNDAPUR - 576 201,
   UDUPI DISTRICT.

4. THE TAHSILDAR
   OFFICE AT TALUK OFFICE,
   NEAR VARAMBALLI PANCHAYAT,
   BRAHMAVARA TALUK,
   UDUPI DISTRICT - 576213

…RESPONDENTS

(BY SRI SHAMANTH NAIK, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUION OF INDIA PRAYING TO DIRECT BY DECLARING THAT THE PETITIONERS, AS THE LEGAL HEIRS OF LATE SMT. K SUBBAKKA SHEDTHI AND LATE K SHIVARAMA SHETTY, THE ORIGINAL LESSEE IN FURTHERANCE OF THE ORDER OF LEASE DATED 23/07/1958 BEARING REFERENCE NO. B9-18794/58 VIDE ANNEXURE- A INASMUCH AS THE PETITIONERS ARE ENTITLED TO HAVE THEIR CLAIM FOR PERMANENT OWNERSHIP OF THE LAND BEARING SURVEY NO. 212/1C, MEASURING 13 ACRES AND 67 CENTS, SITUATED AT SHIRIYARA VILLAGE, BRAHMAVAR TALUK, UDUPI DISTRICT IN VIEW OF THE LAND PRICE OF 75/- PER ACRE AS MOREFULLY

DETERMINED IN THE ABOVE SAID ORDER OF LEASE IN TERMS OF THE APPLICABLE PROVISIONS OF THE SOUTH KANARA DISTRICT LEASE OF LANDS FOR CASHEW CULTIVATION RULES, 1957 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 respondents.

2. Sri Sampat Anand Shetty, learned counsel appearing for petitioners submitted that the respondent No.3 be directed to consider the representation dated 17.04.2023 at Annexure - B under Rule 23-A of the Karnataka Land Grant Rules, 1969 by notification dated 08.03.2023.

3. Sri Shamanth Naik, learned Additional Government Advocate appearing for the respondent - State submitted that, the market value has to be considered as per the prevailing market value, and therefore, sought for dismissal of the writ petition.

4. In the light of the submissions made by the learned counsel appearing for the parties, I have carefully considered the averments made in the representation dated 17.04.2023 at Annexure - B addressed to the respondent 3. Taking into consideration the declaration of law made by this Court in W.A No.1221/2022 and CCC No.213/2023 disposed of on 13.10.2026, I am of the view that, the respondent No.3 is directed to consider the representation at Annexure - B, in accordance with the declaration of law made by this Court in the aforementioned orders within a period of three months from the date of receipt of certified copy of this order.

It is made clear that this Court has not expressed any opinion on the merits of the case.

Accordingly, the writ petition is disposed of.

Sd/-
(E.S.INDIRESH)
JUDGE

BKM
List No.: 1 Sl No.: 30