HC-KAR

NC: 2026:KHC:59370
WP No. 38755 of 2025

CNR: KAHC010813472025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

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

WRIT PETITION NO. 38755 OF 2025 (KLR-RES)

BETWEEN:

1. SMT. NEBISA
   W/O LATE ABDUL KHADER,
   AGED ABOUT 53 YEARS,
   RESIDING AT PATTE HOUSE,
   BELANDOORU VILLAGE AND POST,
   KADABA TALUK,
   DAKSHINA KANNADA DISTRICT - 574212.

...PETITIONER

(BY SRI. MAHAMMAD NASIRUDDIN, ADVOCATE)

AND:

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

1. THE DEPUTY COMMISSIONER
   AND DISTRICT MAGISTRATE
   DAKSHINA KANNADA DISTRICT,
   MANGALURU - 575001.

2. THE ASSISTANT COMMISSIONER,
   PUTTUR SUB-DIVISION,
   DAKSHINA KANNADA DISTRICT - 574202.

3. THE TAHSILDAR,
   KADABA TALUK,
   DAKSHINA KANNADA DISTRICT - 574202.

4. MR.JAYASOORYA RAI MADODI,
S/O LAKSHMI KARIYAPPA RAI MADODI,
PRAGATHI EDUCATION INSTITUTION KANIYOOR,
WORKING SECRETORY
PUTTUR TALUK,
DAKSHINA KANNADA DISTRICT-574201.

…RESPONDENTS

(BY SRI ADITYA DIWAKARA, AGA, FOR R1 TO R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI, OR ANY OTHER APPROPRIATE WRIT, ORDER, OR DIRECTION, QUASHING THE IMPUGNED ORDERS DATED 14.06.2024, 07.03.2018, AND THE ENDORSEMENT DATED 23.12.2016, PASSED BY THE RESPONDENTS, COPIES OF WHICH ARE PRODUCED HEREWITH AND MARKED AS ANNEXURES-C1 TO C3, IN THE INTEREST OF JUSTICE AND EQUITY 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 respondent Nos.1 to 3.

2. In this writ petition, petitioner is assailing the order dated 14.06.2024 (Annexure-E) passed by the respondent No.1-Deputy Commissioner and District Magistrate, Dakshina Kannada District, order dated

07.03.2018 (Annexure - D) passed by the respondent No.2-Assistant Commissioner, Puttur Sub-division, Puttur and the order dated 26.08.2015 (Annexure - C) passed by the respondent No.2, inter-alia sought for a direction to the respondent - Authorities to consider the application made by the petitioner.

3. Having taken note of the submissions made by the learned counsel appearing for the parties and on careful consideration of the impugned orders would indicate that, there is no material before the respondent - Authorities that, the petitioner is in possession of the land in question. It is also forthcoming from paragraph - 9 of the order at Annexure - E, wherein the spot inspection has been conducted by the respondent - Authorities in the presence of the petitioner herein and it is found that, one Pragathi Education Institution is running their education institution in the land in question.

4. In that view of the matter, I am of the view that, no interference is called for in this writ petition. Accordingly the finding recorded by the respondent - Authorities is just and proper. In that view of the matter, the petitioner has no legal right to claim the subject land, which has been granted in favour of the Education Institution.

In that view of the matter, the writ petition is accordingly dismissed.

SD/-
(E.S.INDIRESH)
JUDGE

BKM
List No.: 1 Sl No.: 25