



**IN THE HIGH COURT OF KARNATAKA**

**KALABURAGI BENCH**

**DATED THIS THE 3<sup>RD</sup> DAY OF JUNE, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR**

**WRIT PETITION NO.202438 OF 2024 (GM-RES)**

**BETWEEN:**

1. MEER MASRAT ALI S/O KHADAR ALI,  
AGE : 79 YEARS, OCC: AGRICULTURE,  
R/O QILA GALLI, BASAVAKALYAN,  
DIST : BIDAR-585327.
2. SMT. AARIFA BEGUM  
W/O MEER MASRAT ALI,  
AGE: 78 YEARS,  
OCC: AGRICULTURE,  
R/O QILA GALLI,  
BASAVAKALYAN,  
DIST. BIDAR-585327.



(BY SRI. SACHIN M. MAHAJAN, ADVOCATE)

...PETITIONERS

**AND:**

1. THE STATE OF KARNATAKA  
REPRESENTED BY ITS SECRETARY,  
DEPARTMENT OF REVENUE,  
VIDHANA SOUDHA,  
DR. AMBEDKAR VEEDI,  
BENGALURU-560001.
2. THE DEPUTY COMMISSIONER,  
BIDAR-585401.



3. THE ASSISTANT COMMISSIONER,  
BASAVAKALYAN,  
DIST. BIDAR-585327.
  
4. THE TAHSILDAR,  
BASAVAKALYAN,  
DIST. BIDAR-585327.

...RESPONDENTS

(BY SRI. MALLIKARJUN SAHUKAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OR ORDER OR DIRECTION IN THE NATURE OF CERTIORARI AND QUASH THE IMPUGNED ENDORSEMENT ISSUED FROM THE OFFICIAL WEBSITE/APP-DISHANK VIDE ANNEXURE-P, P1 AND P2, WITH A SUITABLE DIRECTION TO THE RESPONDENTS TO REMOVE THE LANDS BEARING SY NO.35/2 MEASURING 04 ACRES 38 GUNTAS EXCLUDING 10 GUNTAS OF PHOT KHARAB AND LAND SY NO.35/3 MEASURING 02 ACRES 18 GUNTAS OF BASAVAKALYAN, FROM THE LIST OF RESTRICTED LANDS; II) ISSUE A WRIT OR ORDER OR DIRECTION IN THE NATURE OF MANDAMUS, DIRECTING THE RESPONDENTS TO CONSIDER THE REPRESENTATION DATED 02.07.2024 VIDE ANNEXURE-S AND TAKE APPROPRIATE STEPS WITHIN A PERIOD OF TWO WEEKS; III) ISSUE ANY OTHER WRIT OR ORDER OR DIRECTION AS THIS HON'BLE COURT MAY DEEMS FIT TO ISSUE IN THE FACTS AND CIRCUMSTANCES OF THE CASE, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR



### **ORAL ORDER**

In this petition, the petitioners seek the following reliefs :

- i) Issue a writ or order or direction in the nature of certiorari and quash the impugned endorsement issued from the official website/app-Dishank vide Annexure-P, P1 and P2, with a suitable direction to the respondents to remove the lands bearing Sy.No.35/2 measuring 04 acres 38 guntas excluding 10 guntas of phot kharab and land Sy.No.35/3 measuring 02 acres 18 guntas of Basavakalyan, from the list of restricted lands;
- ii) Issue a writ or order or direction in the nature of mandamus, directing the respondents to consider the representation dated 02.07.2024 vide Annexure-S and take appropriate steps within a period of two weeks;
- iii) Issue any other writ or order or direction as this Hon'ble court may deems fit to issue in the facts and circumstances of the case, in the interest of justice and equity.

2. A perusal of the material on record will indicate that the petitioners are the owners in lawful and peaceful possession and enjoyment of the subject lands bearing Sy.No.35/3, measuring 03 acres 18 guntas, Sy.No.35/2 measuring 04 acres 38 guntas respectively situated at Basavakalyan having inherited the same from their



ancestors. The revenue records stand in the name of the petitioners and all the documents produced by the petitioners clearly indicate that it is a freehold land of the petitioners without any restriction being imposed upon the lands by the respondents/State in any manner whatsoever.

3. It is the grievance of the petitioners that when they approached the respondents for issuance of 11E sketch for the purpose of alienating the subject lands, they were surprised/shocked to find out that in the official website of the State Government, the subject lands are shown as land restricted as can be seen from Annexures-P and P1 the print out of the land owners details as hereunder :

Owners details	
Surnoc No.	*
Hissa No.	2
	OWNERS RTC
Owner name	ಆರಿಫಾಬೇಗಂ ಗಂಡ ಮಸರತ ಅಲಿ
Extent	4:38:0
Is he main owner ?	YES
Land Type ?	PRV



Is land Govt. restricted ?	Yes
Is there a court stay ?	NO
Is land Alienated ?	NO
Any Trnsc running	NO

Owners details	
Surnoc No.	*
Hissa No.	3
	<b>OWNERS</b>   <b>RTC</b>
Owner name	ಮೀರ್ ಮಸರತ ಅಲಿ ತಂದೆ ಮೀರ್ ಖಾದರ್ ಅಲಿ
Extent	2:18:0
Is he main owner ?	YES
Land Type ?	PRV
Is land Govt. restricted ?	Yes
Is there a court stay ?	NO
Is land Alienated ?	NO
Any Trnsc running	NO

4. Learned counsel for the petitioners submits that except the entry in the aforesaid endorsement uploaded in the DISHANK portal maintained by the respondents wherein the subject lands are shown as Government restricted, the remaining documents do not indicate any such restriction and all the documents clearly indicate that the lands are freehold lands owned and possessed by the petitioners.



5. Upon this Court putting forth the query to the learned Additional Government Advocate as to whether there are other documents/records which would indicate that the subject lands are Government restricted as indicated in the impugned endorsement, learned Additional Government Advocate fairly submits that there are no other records other than the impugned endorsement wherein it is stated that the lands are Government restricted.

6. Under these circumstances having regard to the material on record which clearly indicates that the subject lands are owned and possessed by the petitioners and that they are freehold lands, I am of the considered opinion that the impugned endorsement at Annexures-P and P1 showing the subject lands as Government restricted is clearly erroneous and the same deserves to be deleted by issuing necessary directions in this regard to the respondents.

7. In the result, the following :



- i) Petition is hereby ***allowed***.
- ii) The impugned endorsement at Annexures-P and P1 indicating the land as Government restricted by mentioning 'Yes' is hereby set aside.
- iii) Concerned respondents are directed to delete the word 'Yes' as against the clause indicating whether the Government land is Government restricted and insert the word 'No' as against the said clause within a period of one month from the date of receipt of a copy of this order.

**Sd/-  
(S.R.KRISHNA KUMAR)  
JUDGE**

SN  
LIST NO.: 1 SL NO.: 61  
CT:SI