HC-KAR

IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 22ND DAY OF JUNE, 2026

BEFORE

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

WRIT PETITION NO. 201565 OF 2024 (KLR-LG)

BETWEEN:

1. SRI.NARASAPPA AND ORS
   S/O MAREPPA
   AGED ABOUT 55 YEARS
   OCCUPATION: AGRICULTURE
   RESIDENT OF 1/33/1
   GRAM PANCHAYAT NAGADAIDALAI,
   KUSRAMPALLI, KOLLUR
   KALABURAGI 585 307.

2. SRI. CHANDSAB
   S/O KHASIMSAB
   AGED ABOUT 63 YEARS
   OCCUPATION AGRICULTURE
   RESIDENT OF 3/113
   NEAR GOVT HOSPITAL.
   BEMALKHED VILLAGE,
   TQ AND DIST BIDAR.

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3. SMT. NARSAMMA
   W/O BAKKAPPA KUSRAMPALLI
   AGED ABOUT 63 YEARS
   OCCUPATION AGRICULTURE
   RESIDENT OF 3/113 NEAR GOVT HOSPITAL.
   BEMALKHED VILLAGE,
   TQ AND DIST BIDAR
4. SMT. SHANKRAMMA
   AGED ABOUT 68 YEARS

OCCUPATION AGRICULTURE
RESIDENT OF GP NO 101 KUSRAMPALLI,
KOLLUR TQ. CHINCHOLI,
DIST KALABURAGI 585 307.

5. SMT. LAXMIBAI
W/O JAGANNATH
AGED ABOUT 36 YEARS
OCCUPATION AGRICULTURE
RESIDENT OF GP NO. 1/51 KUSRAMPALLI,
KOLLULR TQ CHINCHOLI,
DIST KALABURAGI 585 307.

6. SRI. PRABHU
S/O JAGANNATH
AGED ABOUT 64 YEARS
OCCUPATION AGRICULTURE
RESIDENT OF KUSRAMPALLI,
KOLLULR TQ CHINCHOLI,
DIST KALABURAGI – 585 307.

7. SRI. GANGADHAR
S/O SHANKARAPPA
AGED ABOUT 52 YEARS
OCCUPATION AGRICULTURE
RESIDENT OF GP NO. 1/189/1 KUSRAMPALLI,
KOLLULR TQ CHINCHOLI,
DIST KALABURAGI – 585 307.

8. SRI. DEVENDRA
S/O NARSAPPA
AGED ABOUT 62 YEARS
OCCUPATION AGRICULTURE
RESIDENT OF KUSRAMPALLI,
KOLLULR TQ CHINCHOLI,
DIST KALABURAGI 585 307.

9. SRI. TUKARAM S/O NARSAPPA
AGED ABOUT 51 YEARS

OCCUPATION AGRICULTURE
RESIDENT OF KUSRAMPALLI,
KOLLULR TQ CHINCHOLI,
DIST KALABURAGI 585 307.

10. SMT. PADMAWATI
S/O ENKAPPA
AGED ABOUT 50 YEARS
OCCUPATION AGRICULTURE
RESIDENT OF GP NO. 1/110 KUSRAMPALLI,
KOLLULR TQ CHINCHOLI,
DIST KALABURAGI 585 307.

11. SMT. MANEMMA
W/O KRISHNAPPA NAYAKUR
AGED ABOUT 60 YEARS
OCCUPATION AGRICULTURE
RESIDENT OF GP NO. 1/102/6 KUSRAMPALLI,
KOLLULR TQ CHINCHOLI,
DIST KALABURAGI 585 307.

12. SMT. JAGADEVI
W/O RAJENDRA
AGED ABOUT 45 YEARS
OCCUPATION AGRICULTURE
RESIDENT OF KUSRAMPALLI,
KOLLULR TQ CHINCHOLI,
DIST KALABURAGI 585 307.

…PETITIONERS

(BY SRI. RAVI B PATIL, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY
ITS PRINCIPAL SECRETARY
DEPARTMENT OF FOREST
VIDHAN SOUDHA,
BENGALURU 560 001.

2. THE DEPUTY COMMISSIONER
KALABURAGI DISTRICT
D C OFFICE, KALABURAGI 585 103.

3. THE TAHSILDAR CHINCHOLI
TAHSIL OFFICE, CHINCHOLI,
TQ.CHINCHOLI,
DIST KALABURAGI.

4. THE RANGE FOREST OFFICER
REGIONAL FOREST RANGE,
CHINCHOLI,
DIST KALBURAGI – 585 307.

…RESPONDENTS

(BY SRI. VEERANAGOUDA MALIPATIL, HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO WRIT OF MANDAMUS DIRECTING THE RESPONDENTS NO.3 AND 4 NOT TO EVICT THE PETITIONERS FROM THE OCCUPATION AND CULTIVATION OF THEIR RESPECTIVE PORTION IN SY.NO.18 OF KUSARAMPALLI VILLAGE, TQ. CHINCHOLI, DIST. KALABURAGI, IN THE INTEREST OF JUSTICE.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING '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:

"a) A Writ of Mandamus directing the Respondents No.3 & 4 not to evict the Petitioners from the occupation and cultivation of their respective portion in Sy.No.18 of Kusarampalli village, Tq: Chincholi, Dist: Kalaburagi, in the interest of justice.

b) Issue a Writ of Mandamus directing Respondents No.1 and 2 to consider the claim of the Petitioners No.3 to 12 for regularization of their unauthorized cultivation by considering their applications as at Annexure-B series, within such stipulated time as this Hon'ble Court deems fit, in the interest of justice."

2. Heard learned counsel for the petitioners, learned HCGP for respondents and perused the material on record.

3. When the matter came up before this court on 26.06.2024, this Court passed the following interim order:

"Learned counsel for the petitioners submits that the deficit Court fee is made good. He submits that Annexure-B is a downloaded copy which is legible and therefore prays that the production of typed version of Annexure-B be dispensed.

The submission of the learned counsel for the petitioners is accepted and the office objection regarding Annexure-B is overruled.

Learned High Court Government Pleader is directed to accept notice for respondent Nos.1 to 4. Till the next date of hearing, the possession of the petitioner shall not be disturbed.

The learned High Court Government Pleader is directed to verify whether the land of the petitioners was amongst 14,848.83 acres which is ordered to regularized as per the Government order dated 06.02.2004.

List on 18.07.2024."

4. The aforesaid interim order passed by this court continues to remain in force and subsist and operate between the parties even till today. It is an undisputed fact that the applications for regularisation of petitioners at Annexure-B series have not been considered by the respondents even till today.

5. Under these circumstances, I deem it just and appropriate to dispose of this petition directing the concerned respondent Nos.1 and 2 to consider the

representations of the petitioners at Annexure B series and take appropriate decision/pass appropriate orders in accordance with law within a period of three months from the date of receipt of a copy of this order. It is further directed that till the concerned respondents takes appropriate decision/pass appropriate orders on the application submitted by the petitioners, the aforesaid interim order dated 26.06.2024 shall continue to remain in force and operate between the parties.

6. Subject to the aforesaid observations and directions, the petition stands disposed of.

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

BMC
List No.: 3 Sl No.: 45