



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF FEBRUARY, 2025

BEFORE

THE HON'BLE MR JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 1519 OF 2025 (KLR-RES)

BETWEEN:

1. MUNIYAPPA .A.V
S/O VENKATARAMAIAH
AGED ABOUT 70 YEARS
R/AT APPEGOWDANAHALLI (V)
KASBA (HOBBI), SHIDALGATTA (T)
CHIKKABALLAPURA DISTRICT
KARNATAKA-562 103.

...PETITIONER

(BY SRI. RAGHAVENDRA GOWDA .K, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY PRINCIPAL SECRETARY
REVENUE DEPARTMENT, VIDHANA SOUDHA
BANGALORE, KARNATAKA-560 001.
2. THE DEPUTY COMMISSIONER
CHIKKABALLAPURA DISTRICT
AMANI GOPALAKRISHNAKERE
KARNATAKA-562 101.
3. THE TAHSILDAR
REVENUE DEPARTMENT
SIDLAGHATTA TALUK
CHIKKABALLAPURA DISTRICT
KARNATAKA-562 105.





4. THE REVENUE INSPECTOR
SHIDLAGATTA TALUK
CHIKKABALLAPURA DISTRICT
KARNATAKA-562 105.

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING FOR DIRECTION TO THE RRESPONDENT NO.3, CONSIDER THE REPRESENTATION DATED 29/01/2016 VIDE ANNEXURE-C1 AND DIRECT RESPONDENT NO.3 TO ISSUE SAGUVALI CHIT TO SUBJECT LAND.

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

CORAM: HON'BLE MR JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

This petition is by the legal heir of original grantee who is seeking directions at the hands of this Court against respondent No.3 to consider petitioner's representation dated 29.01.2016 and further seeks a direction against respondent No.3 to issue saguvali chit in respect of subject land by taking cognizance of the grant order made in favour of his father.



2. Heard learned counsel for the petitioner and learned AGA for the respondents.

3. Records reveal that petitioner's father was granted land vide order dated 18.09.1994. Petitioner's father tendered an application in the prescribed form No.50 seeking regularization of his unauthorized occupation. The committee after due enquiry recommended that petitioner's father is eligible for regularization of his unauthorized occupation.

4. Petitioner's grievance is that though similarly placed applicants recommendation is acted upon by the Tahsildar and saguvali chit is issued, however, in petitioner's case, there is no response though representation is tendered in 2016.

5. Referring to RTC documents, petitioner has also brought to the notice of this Court that saguvali chit was not issued as petitioner's father failed to deposit the



prescribed premium under Rule 108D(3) of the Karnataka Land Revenue Rules, 1966.

6. Although the learned Additional Government Advocate (AGA) attempted to oppose this petition by contending that the petitioner's family possesses excess land, this Court is not inclined to widen the scope of inquiry in a writ petition seeking a writ of mandamus. It is an undisputed fact that the petitioner has already secured a recommendation from the Land Grant Committee, which carries legal weight. Once such a recommendation is made under Section 108D(3) of the applicable law, the Tahsildar is duty-bound to acknowledge it and proceed with the issuance of the *Saguvali Chit* in accordance with the prescribed legal procedure. The petitioner, in the present case, has expressed willingness to deposit the requisite premium as mandated by law. Given that the Land Grant Committee has recommended the regularization of the petitioner's father's unauthorized occupation, the petitioner has acquired a legitimate right to seek



appropriate directions from this Court. In light of these circumstances, this Court finds merit in the petitioner's claim and deems it appropriate to direct the concerned authorities to act in accordance with the law and issue the necessary *Saguvali Chit* without undue delay.

7. The respondent No.3/Tahsildar is equally obligated to examine the recommendation and pass appropriate orders. Since there is inaction, this is a fit case where a mandamus lies.

8. For the foregoing reasons, this Court proceeds to pass the following:

ORDER

(i) Writ petition is allowed;

(ii) Respondent No.3/Tahsildar is directed to consider petitioner's representation dated 29.01.2016 vide Annexure-C1 in accordance with law within a period of four months from the date of receipt of a copy of this order;

(iii) It is made clear that respondents shall not take any precipitative action till Tahsildar



considers the recommendation made by the Land
Grant Committee.

**Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE**

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List No.: 1 Sl No.: 45