

Karnataka High Court

Ramappa vs The State Of Karnataka on 6 August, 2009

Author: Mohan Shantanagoudar

IN TI-if} HIGH COURT 0? KARNATAKA

CIRCUIT BENCH A'1:'~f)H--ARW\_g?®.VV'4" .

DATED THIS THE am DAY "OF ;?;\$;U(\$UlsT,A"2k\$%o9:

BEE\$'I2,E V

THE HONBLE MR.JL;ST1c1:%.1;»1€j'iaAN.,jSHANTANAr;\$oumR

WRIT PE'm1E};si \_f~E{ )., \_\$3fi29]'2(3£\$8{LA--¥2ES)

BETWEEN:

1. RAMAPPA, ' \_  
Sf0 GURUPADAPPA.,MA(3\$ADU\$qi«\_ .. " V  
AGED AB0m\*.Vvs1--'Y.\$fA'iizs ~  
AC}ICULTURiS\_"I', R /<>"\*:?2,=;1.\_1,za?<'r':\*i ,  
JAMAKHiANDi'frAmK, =  
DIST. BAGALKOT. ~ \*

gasgypa, \_

S/V0 LAXMEW :a.4oFAc2AR\_

.e\_.vG1;::f;; A,r3..t:a'mi3;5 YEARS," ~ ..... -  
A:::<eze::mfu:21sT,' :2 ; <3». aYA:,m.'rr:,  
JA:a:K:m;;31 ";;a:.m;; 131.311 BAGALKGT.

{Q

HANUMANTH, ' ' '  
, "s; '0 LAXMAN MEEPAGAR,  
AG-ED ABcsiJ'r«:3o YEARS,  
--. AC.Rvz.ci\$LTUi%:sT, R 10 YALLATTI,  
\_ ;;:A':ss;<:\$«:A,rs\$£31T;aL;;<, Dis? ESAGALKQT;

r::;;{E::.\$Ar;,~'S/0 LAXMAN Mommzz,  
' ~.A<3E;D again :27 YEARS,

' A'<.;R1c:3L'rUR1sT, we YALLATTE,

J"AME{HANDETALUK, DIST. BAGALKOT. ., PE'\$'i'?UNERS

ANAN\$KUM£s.R A. MAGDUM, A031,}

I-<<J

AND:

E. THE STATE OF KARNATAKA,  
BY ITS SECRETARY I  
REVENUE DEPARTMENT  
VIDHANA SOUDHA,

BANGALORE 560 01.

2. THE SPECEAL DEPUTY COMMISSIONER  
(LAND ACQUISITION AND

REHABILITATION, NEAJAOR .i\_ 'RR1QAT;Q\$~'z--- A \_  
PROJECT3}.BELGAUM.\_I' \* V

3. THE SPECIAEQLANE) 2XCQLI1s1'2'1.:3.N OFFECTER,  
MAJOR 1RRI{?;A\_?. "ION= PRfC);.I~ECT 'V  
OFFICE\_...0'f=. \*'TE4iE- \_ \_ ~ V  
SPECIAL E)EPU'T\*f.\_ co-1q:i~MI's3sI'ONER.,. '  
BELGAUMI'--- ..  
4, THE ASSIS'7FAI\$E'1'.EXF;CU'LL'EVE ENGINEER{R 5.-, R}  
HIPPARAG1 BAj'R.RATGE,TAp;THAN1,  
1313:: B::~LGAUM\_.r\_ " .. RESPONDENTS

(BY SR1. R';s:A HA'7i'.F£--, Hcdrij ;""9:fiJi:s'%.PETITi{j«N is FILED UNDER ARTICLES 226 AND  
.222? :f;:) 'E:"I":9iF: (;,){i\*ISTITU'i'IoN OF INDIA PRAYING T9 QUASH "f1fi~iE  
N()ftij\_§I7i',ATIoN VIBE ANN-G PASEE 33' THE: R2 DATED 4\$';'1o'},éoG'7 AND ETC.

THIS i3ETI'I{Q}N COMING QN FOR PRELEMINARY T HEEKRING 'IN 8 GROUP, THIS SAY THE  
CQURT MAIEE TEE FGLLOW1E"\YG;--

GRDER The notification issued 'V Land Acquisition Act vide \_\_\_\_A1if1¢)§t33"e .. iidétteti .""4\*V1"i'~  
\*' October 2037 gazetted 2607, is called in question

2. the notification was, 110 emergency at that tiglIt-it under Section 1' of the The notiication reveals  
that had directed on 03/12/2001 to ' \_'3cqui;r'stc::f'te:in lands by invoking urgency clause under " of  
the Land Acqtzisation Act. However, the natiication Armexura "G" Came into existence only an "  
October, 280'? i.e., after lapse of about 6 years. This itself gases 1:9 Show that theft: was no urgency  
in the matter. Therefore, the notiication Annexurf: "G" shall be treated as the one issued uncier  
Section; Land Acquisition: Act. {fit is \$o',"t}1e be V ' given an opportunity of being h(~\$ar(:1.' \_

3. A1: this st\$g\_c'f; 'B/□agadum, learned advocate the petitioners submits S□atea 'h:as already  
taken decision Vproceedixlgs. Smce, the same, this Court does further (:11 that aspect of  
t\$'1€'1T:attef. V-.UIider""si;r.n.i1a1' circumstancg, this Court in /2008 and connected matters in 1  
Vt\$'1§~:VéAc2§? \$€vV'§fA'.S}?IRiSHAEL AND OTHERS vs THE SPECEAL  
L□N}3.\_"A£€'A-QUESFFION QFF'ICER AND OTHERS disposed n€:f3,'\_\_ oIi""i'C3"--1~ March,  
2008, has pennittad the similarly ' fjiabed land owners, Whose lands wars acquired under ' V "the  
very preiialinmy notiication, to □e ihair statement of mbjections. Be that as it may, since {.116  
petitioners (V/> have not □ed statement of objections, \_ p6I'l1iil6d to do 50. AccordiI1g\_ly,V fghe

