

IN THE HIGH COURT OF KARNATAKA AT BANGALORE
DATED THIS THE 7TH DAY OF MAY 2002

PRESENT:

THE HON'BLE MR. JUSTICE P. VISHWANATHA SHETTY

AND

THE HON'BLE MR. JUSTICE M.S. RAJENDRA PRASAD

WRIT PETITION NO. 20224/2002 (GM-RES-PIL)

BETWEEN :

1. Mr. Fiaz Pasha,
S/o Mohammed Ghousa,
Aged about 43 years,
Member, Pattana Panchayat
Pete, Arkalgud, Hassan Dist.

2. Mr. A.S. Sathyanarayana,
S/o Sri. Shankarappa,
Aged about 50 years,
Kote, Arkalgud,
Hassan District.

... PETITIONERS

(By Sri. P.S. Dinesh Kumar, Adv.)

AND :

1. State of Karnataka,
Ministry of Urban Development,
M.S. Building, Bangalore-560 001
By it's Secretary.

2. The Director of Municipal
Administration, Government
of Karnataka, M.S. Building,
Bangalore - 560 001.

contd.. 2...

3. Deputy Commissioner,
Hassan District,
Hassan 573 201.

4. Pattana Panchayat,
Arakalgud,
Hassan District,
By The Chief Officer,

5. Mr. Shantaraj,
Chief Officer
Pattana Panchayat,
Arakalgud,
Hassan District.
By The Chief Officer.

6. State Bank of Mysore,
Arakalgud Branch,
Arakalgud,
By its Manager.

... RESPONDENTS

(By Sri. V.Y. Kumar, GP)

* * *

This Writ Petition is filed under Article 226 & 227 of the Constitution of India, praying to quash the Official Memorandum dated 24.4.2002 vide Annexure-C by R5. Quash the G.O. dated 4.4.2002 by R1 vide Annexure-B and etc.,

This Writ Petition coming on for preliminary hearing, this day, VISHWANATHA SHETTY, J., made the following :

ORDER

Sri.V.Y.Kumar, learned Government Pleader,
is directed to take notice on behalf of
respondents No.1 to 3:

2. In this petition, the petitioners have
prayed for quashing of the Official Memorandum
No.Pa Pam: A Bha 5 CR : 2001-2002 dated 24-4-2002
(copy of which has been produced at Annexure-'C')
passed by the fifth respondent who is the Chief
Officer of the fourth respondent-Pattana
Panchayat. By Annexure-'C', the fifth respondent
has communicated the decision of the Panchayat
which has been approved by the State Government
for allotting a site measuring 50' x 80' to the
sixth respondent and to proceed with the
formalities for registration of the site, after
paying the sale consideration of Rs.9,23,000/-.

3. The petitioners' submission is that the
allotment of the site in question made to the
sixth respondent is not in public interest. It



is their further submission that the site has been allotted contrary to the resolution of the Panchayat.

4. We are of the opinion that there is no merit in these petitions. Annexure-'C' indicates that there had been a resolution passed by the Panchayat resolving to allot the site in question to the sixth respondent-State Bank of Mysore and the same has been approved by the State Government. It is an undisputed fact that the State Bank of Mysore is a Government of India undertaking. Further, the site has been allotted to the State Bank of Mysore by fixing the sale consideration of Rs.9,23,000-00. The measurement of the site is only 50' x 80'.

5. Under these circumstances, we are of the opinion that it is inappropriate for us to interfere against the impugned decision at the



instance of the petitioners in the petition. The petitioners have not disclosed their credentials or their background.

6. Therefore, in the light of the observations made above, this petition is liable to be rejected. Accordingly, it is rejected.

Sri.V.Y.Kumar, learned Government Pleader, is permitted to file his memo of appearance within four weeks.

Sd/ 
Judge

Sd/ 
Judge