



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF MARCH, 2023

BEFORE

THE HON'BLE MR JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO.4821 OF 2023 (LB-RES)

BETWEEN:

1. MRS. RENUKA MANGHNANI

...PETITIONER

(BY SRI UDAYA HOLLA, SENIOR COUNSEL, FOR
SRI VIVEK HOLLA)

AND:

Digitally
signed by
POORNIMA
SHIVANNA
Location:
HIGH
COURT OF
KARNATAKA

1. STATE OF KARNATAKA
DEPARTMENT OF RURAL DEVELOPMENT AND
PANCHAYATH RAJ,
VIDHANA SOUDHA,
BENGALURU - 560 001,
REPRESENTED BY PRINCIPAL SECRETARY.
2. DEPUTY COMMISSIONER
BENGALURU URBAN DISTRICT,
BEHIND KANDAYA BHAVAN,
K G ROAD,
BENGALURU - 560 001.



3. DODDAJALA GRAM PANCHAYATH
DODDAJALA VILLAGE, JALA HOBLI,
BENGALURU NORTH TALUK,
BENGALURU URBAN DISTRICT,
REPRESENTED BY ITS,
PANCHAYATH DEVELOPMENT OFFICER.

...RESPONDENTS

(BY SRI NITYANANDA K. R., A.G.A., FOR R-1 & R-2, &
SRI M. S. DEVARAJ, ADVOCATE, FOR R-3)

* * *

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT DODDAJALA GRAM PANCHAYATH AND THE PANCHAYATH DEVELOPMENT OFFICER TO ISSUE E-KHATA IN RESPECT OF THE SCHEDULE PROPERTY IN THE NAME OF THE PETITIONER.

THIS WRIT PETITION IS COMING ON FOR PRELIMINARY HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

1. Learned Additional Government Advocate accepts notice for respondent Nos.1 and 2.
2. Sri M.S. Devaraj, learned counsel, accepts notice for respondent No.3.
3. The petitioner is before this Court seeking for the following relief:



"Issue a writ of mandamus or any other writ order or direction, directing the Doddajala Gram Panchayath and the Panchayath Development Officer to issue e-khata in respect of the schedule property in the name of the petitioner."

4. The grievance of the petitioner is that though manual khata has been issued in favour of the petitioner as regards the property covered under Survey No.189, bearing khata No.415/415/189 of Jala Grama Panchayat, electronic-khata has not been issued in favour of the petitioner though an application was made in relation thereto on 16-2-2019. Whenever there is manual khata issued, e-khata is to be issued immediately on an application being made, otherwise, the very purpose of implementing the system of e-khata would be lost and manual khata would continue to exist. It is rather shocking that an application which is made in the year 2019 is still pending consideration, requiring the petitioner to approach this Court seeking redressal of her grievance.



5. Though khata is not a title documents, but it is required for the purpose of better enjoyment of the property and such enjoyment of the property cannot be delayed by respondent No.3 for nearly four years now. It is also required that a proper methodology of consideration of the application, processing the application and disposal of the application for filing of e-khata be web hosted on the website of the Rural Development and Panchayat Raj Department under each Gram Panchayat. The said website should reflect, at least, the following common details:

- i. Name of the applicant;*
- ii. Details of the property;*
- iii. Date on which electronic-khata is applied for, and*
- iv. Date on which electronic-khata is issued.*

6. As per e-Sugama Rules, any application made for e-khata is required to be disposed of within a period of thirty days. If there is delay of more than thirty days, the website should also reflect the reasons for such delay.



7. The Principal Secretary, Rural Development and Panchayat Raj Department, in association with the Secretary, e-Governance Department, are directed to institute and put in effect such a system within a period of four weeks' from today.

8. In view of the above, I am of the opinion that the petition is required to be allowed. Hence, I pass the following

ORDER

- i. Writ petition is **allowed**;
- ii. Mandamus is issued directing respondent No.3 to consider the application of the petitioner dated 16-2-2019 within a period of three weeks' from today;
- iii. Though the writ petition is disposed of, for reporting compliance, re-list this matter on 6-4-2023, and



- iv. Learned Additional Government Advocate to bring this order to the notice of the Principal Secretary, Rural Development and Panchayat Raj Department, and the Secretary, e-Governance Department.

**Sd/-
JUDGE**

KVK
List No.: 1 Sl No.: 30