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IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF AUGUST, 2019

PRESENT

THE HON'BLE MR.ABHAY S. OKA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMAD NAWAZ

WRIT PETITION NO.15165 OF 2018 (GM-RES-PIL)

BETWEEN:

MOHAMED IKBAL
ADVOCATE
AGED ABOUT 63 YEARS
NO.305, 6/1 MAIN, V.V.NAGAR
R.T.NAGAR POST
BANGALORE-560 032

... PETITIONER

(PARTY-IN-PERSON [ABSENT])

AND:

1. PRINCIPAL SECRETARY TO
GOVERNMENT OF KARNATAKA
REVENUE DEPARTMENT
M.S.BUILDING
BANGALORE-560 001
2. DEPUTY COMMISSIONER
BANGALORE URBAN DISTRICT
BANGALORE-560 009
3. DEPUTY COMMISSIONER
BANGALORE RURAL DISTRICT
BANGALORE-560 009
4. DEPUTY COMMISSIONER
BELLARY DISTRICT
BELLARY-583 101
5. DEPUTY COMMISSIONER
CHITRADURGA DISTRICT
CHITRADURGA-577 501

6. DEPUTY COMMISSIONER
CHAMARAJNAGARA DISTRICT
CHAMARAJNAGARA-571 313
7. DEPUTY COMMISSIONER
CHIKKABALLAPURA DISTRICT
CHIKKABALLAPURA-562 101
8. DEPUTY COMMISSIONER
CHICKMANGALUR DISTRICT
CHICKMANGALUR-577 101
9. DEPUTY COMMISSIONER
DAKSHINA KANNADA DISTRICT
MANGALORE-575 001
10. DEPUTY COMMISSIONER
DHARWAR DISTRICT
DHARWAR-580 001
11. DEPUTY COMMISSIONER
GADAG DISTRICT
GADAG-582 101
12. DEPUTY COMMISSIONER
HASSAN DISTRICT
HASSAN-573 201
13. DEPUTY COMMISSIONER
HAVERI DISTRICT
HAVERI-581 110
14. DEPUTY COMMISSIONER
KOPPALA DISTRICT
KOPPALA-583 231
15. DEPUTY COMMISSIONER
MANDYA DISTRICT
MANDYA-571 401
16. DEPUTY COMMISSIONER
MYSORE DISTRICT
MYSORE-570 001
17. DEPUTY COMMISSIONER
RAMANAGARA DISTRICT
RAMANAGARA-571 511

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18. DEPUTY COMMISSIONER
SHIMOGA DISTRICT
SHIMOGA-577 201

19. DEPUTY COMMISSIONER
TUMKUR DISTRICT
TUMKUR-572 101

20. DEPUTY COMMISSIONER
UTTARA KANNADA DISTRICT
KARWAR-583 101

... RESPONDENTS

(BY SHRI Y.H.VIJAYA KUMAR, PRL. GA FOR R1 & R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF MANDAMUS TO THE PRINCIPAL SECRETARY TO THE GOVERNMENT (REVENUE DEPARTMENT) AND TO ALL THE DEPUTY COMMISSIONERS IN THE DISTRICTS TO RESERVE, SANCTION AND MAKE AVAILABLE THE REQUIRED SUITABLE BURIAL GROUNDS IN THE STATE FOR THE DECENT FUNERAL OF THE DEAD PERSONS AS PER THEIR RELIGION AND BELIEF WITHIN 3 TO 6 MONTHS AND ETC.

THIS PETITION COMING ON FOR ORDERS THIS DAY, **CHIEF JUSTICE** MADE THE FOLLOWING:

ORDER

The petitioner appearing in person is not present.

2. The learned Additional Government Advocate states that time of six months may be granted to the State Government to provide burial grounds to all the villages and towns which are without burial grounds and to remove the encroachment on the Government lands as observed in paragraphs-7 and 8 of the order dated 2nd July 2019.

3. In view of these statements and considering the prayer made in the writ petition, we dispose of the petition by passing the following order:

- i) We direct the State Government to take all possible steps to provide burial grounds to all the villages and towns which do not have burial grounds within a period of six months from today;
- ii) We direct the State Government to ensure that the encroachment on the remaining area of 1,77,449 acres of Government lands shall be removed within a period of six months from today;
- iii) Needless to add that, if the Government Order dated 16th July 2009 is in force, the State Government to bound to implement the same in accordance with law;
- iv) The petition is disposed of with the above directions.
- v) The pending interlocutory application does not survive for consideration and is disposed of.

**Sd/-
CHIEF JUSTICE**

**Sd/-
JUDGE**