

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 19th day of July, 2011

PRESENT

THE HON'BLE MR.J.S.KHEHAR, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE ASHOK B.HINCHIGERI

WP No. 13735/2007(GM-RES-PIL)

BETWEEN:

Dr. R. Arunachalam,
S/o. Sri. Rangaswamy,
Aged about 55 years,
No.274/A, Arunachalam Circle,
BEML., Layout,
Raja Rajeshwari Nagar,
Bangalore-560 097.

..Petitioner

(By Shri. N.D.R. Ramachandra Rao, Advocate)

AND

1. The State of Karnataka,
Represented by its Secretary,
Revenue Department,
Vidhana Soudha,
Dr. Ambedkar Veedhi,
Bangalore-560 001.
2. Chairman and Commissioner of Stamps
Central Valuation Committee,
Multi storied buildings,

Dr. Ambedkar Veedhi,
Bangalore-560 001.

..Respondents

(By Shri. Sri R. Devdas, AGA for R-1 & R-2)

This Writ Petition is filed under Articles-226 and 227 of the Constitution of India praying to declare that the Notification and order dated 17.04.2007 issued by the respondent No.2, revising the market value of the immovable properties of Bangalore (Urban) district, as published in Karnataka Gazette part-III No.632 dated. 17.04.2007 as per Annexure-A is unconstitutional and void and to direct the respondents to revise and fix the market value by following the procedure prescribed under Karnataka Stamp (Constitution of Central Valuation Committee for Estimation, Publication and Revision of Market Value Guidelines of Properties) Rules-2003.

This Writ Petition coming on for preliminary hearing, this day, **Chief Justice** made the following:

ORDER

J.S.KHEHAR, C.J. (Oral) :

Mr. Devdas, learned Additional Government Advocate, on our asking, entered appearance on behalf of the respondents-1 & 2 and he is permitted to file his memo of appearance within one week from today.

2. The solitary prayer made in the instant writ petition was to declare the Notification dated 17.04.2007

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(Annexure-A), revising the market value of immovable properties of Bangalore (Urban) district as unconstitutional and void. A prayer was also made in conjunction with the aforesaid principal prayer, requiring the respondent to fix the market value of Bangalore urban properties on acceptable basis systematically, following the procedure prescribed under the Karnataka Stamp (Constitution of Central Valuation Committee for Estimation Publication and Revision of Market Value Guidelines of Properties) Rules-2003.

3. Mr. Devdas, learned Additional Government Advocate representing both the respondents states that the guidelines value of the immovable properties of the Bangalore urban district has been revised ^a~~on~~ number of times, after issuance of the impugned notification dated 17.04.2007 (Annexure-A). In view of the above, it is submitted that the instant writ petition has been rendered infructuous.

4. We have given our thoughtful consideration to the statement advanced at the hands of the learned counsel for the respondents. Keeping in view that the

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impugned notification dated 17.04.2007 (Annexure-A) has been revised repeatedly since the year 2007, we are satisfied that the instant writ petition has been rendered infructuous. The same is disposed of, as having been rendered infructuous.

Sd/-
Chief Justice

Sd/-
JUDGE

Vr.