



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF DECEMBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT PETITION NO. 38274 OF 2025 (S-KSAT)

BETWEEN:

SRI. R JAYANNA,
S/o RANGAIAH,
AGED ABOUT 57 YEARS,
EXECUTIVE ENGINEER,
NATIONAL HIGHWAY DIVISION,
RESIDING AT:
NO. 1265 NEW KHB LAYOUT,
CHAPATNA, HASSAN - 573 201.

...PETITIONER

(BY SMT. MANJULA V.A., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY
ITS PRINCIPAL SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT,
VIKASA SOUDHA,
BENGALURU - 560 001.
2. M. VIGHNESHWARA,
AGE MAJOR,
EXECUTIVE ENGINEER (RULE 32),
COMMERCE AND INDUSTRIES DEPARTMENT,
VIKASA SOUDHA,
BANGALORE - 560 001.

...RESPONDENTS

(BY SRI. V. SHIVAREDDY, AGA FOR R1)

Digitally
Signed by
REKHA R
Location :
High Court
of
Karnataka



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI BY QUASHING THE ORDER DATED 16.12.2025 IN APPLICATION No. 5090/2025 (VIDE ANNEXURE-B) PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL ORDER

(PER: HON'BLE MR. JUSTICE T.M.NADAF)

This petition is under Articles 226 and 227 of Constitution of India, by the applicant before the Karnataka State Administrative Tribunal at Bengaluru [*Tribunal* for short] in Application No.5090/2025, calling in question the order dated 11.12.2025, declining to grant interim order sought in the application.

2. The parties are referred to as per their rankings before the Tribunal.



3. The brief factual matrix leading to the filing of this petition are as under:

4. The applicant and second respondent belong to Public Works Department. Pursuant to an official memorandum dated 19.12.2023, the applicant reported to the duty at National Highway Division, Hassan on 30.12.2023, in the cadre of Executive Engineer.

5. With another Official memorandum dated 11.12.2025, second respondent was placed to the cadre of Executive Engineer on independent charge as per Rule 32 of KCSRs, has been transferred to the present post of the applicant. Aggrieved by the order dated 11.12.2025, the applicant is before the Tribunal in Application No.5090/2025, seeking a writ of certiorari to quash the order stated supra along with interim order against the transfer.



6. The Tribunal on 16.12.2025, upon hearing the applicant and the learned Government Pleader on interim application, passed an order directing the parties to maintain status-quo as on date and listed the matter on 12.01.2026. It is this order called in question in this present petition.

7. Heard Smt.Manjula V.A, learned counsel for petitioner and Sri.V.Shivareddy, learned Additional Government Advocate for respondent No.1.

8. Smt.Manjula V.A, with all fairness submits that the applicant has been transferred to the present posting on 19.12.2023. Pursuant to the Notification, petitioner reported to duty on 30.12.2023, as per CTC at Annexure-A3. The present transfer order dated 11.12.2025 is within two years. As per the transfer guidelines, the applicant cannot be disturbed for two years from the date of earlier transfer order. The applicant has not completed his tenure in the said posting.



9. She further submits that the applicant is the regular holder of the post under Rule 42-B, whereas the second respondent is a person under Rule 32 of KCSRs, but on independent charge. On these two points, Smt.Manjula submits that the Tribunal ought to have stayed the operation and execution of the order impugned instead of granting status-quo order.

10. In contrast, Sri.V.Shivareddy, learned AGA places on record documents along with a memo and submits as under:

There is a requisition forwarded by the ADGP, Karnataka Lokayukta to the Secretary, Public Works Department, stating that the applicant is having disproportionate assets to the tune of Rs.3,54,55,681/-, which is more than 85.40% of the proportionate/regular income of the applicant. A case comes to be registered against the applicant under Section 13(1)(b) r/w Section 13(2) of Prevention of



Corruption Act, 1988 ('PC Act' for short) by the Hassan Lokayukta Police in their police station Crime No.5/2025. During the investigation, prima facie the disproportionate asset shown to be more than 112.42% than of his regular income.

11. The investigation officer requested to transfer the lien of the applicant in order to avoid hampering of investigation by directly or indirectly and tampering the evidence which would come in the way of fair investigation. The request made by the ADGP, Lokayukta before the concerned Minister and considered with the approval of the Chief Minister in public interest and exigency, second respondent was posted in the place of applicant and directed the applicant to report to the Government for posting in the transferred post. In view of the peculiar facts and circumstances the order called in question does not suffer from any error and is in accordance with law.



12. He further submits that the applicant as of today, has completed his tenure. As per the transfer guidelines, a person can be transferred or his lien can be shifted in the public interest and exigency along with the approval of the Chief Minister as such no fault could be found with the order.

13. Having considered the rival submissions and the documents filed along with memo dated 19.12.2025, by the learned Additional Government Advocate, this Court is not inclined to interfere in the order passed by the Tribunal.

14. Whether the transfer is pre-mature or whether the transfer is with reference to the pending case by the Lokayukta and/or whether the transfer is with the approval of Chief Minister in the public interest and exigency is for the Tribunal to decide on merits in the present application.



15. In view of the above facts and circumstances, without much deliberation on the interim order passed by the Tribunal, the present petition is disposed of, reserving liberty to both the parties to argue either on the consideration of interim prayer or on the main before the Tribunal and the Tribunal shall consider the case independently and dispose of within one month from the date of receipt of copy of this order, considering the fact that the matter pertains to transfer.

16. With these observations, writ petition stands ***disposed of***.

Sd/-
(B M SHYAM PRASAD)
JUDGE

Sd/-
(T.M.NADAF)
JUDGE

RR
List No.: 1 Sl No.: 8
ct-vn