



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 30TH DAY OF JANUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE M.I.ARUN

AND

THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI

CIVIL CONTEMPT PETITION NO. 100200 OF 2025

BETWEEN:

FAKKIRGOUDA VEERANGOUDA PATIL,
AGE: 74 YEARS,
OCC. AGRICULTURE AND ADVOCATE,
R/O. HANGAL, PRESENTLY RESIDING
AT: 459, 2ND CROSS, 4TH MAIN ROAD,
RAJATGIRI, DHARWAD-580 004.

... COMPLAINANT

(BY SRI PRABHULING K. NAVADGI, SENIOR ADVOCATE FOR
SRI SHIVAPRASAD SHANTANAGOUDAR AND
SRI RAMACHANDRA V. BHAT, ADVOCATES APPEARED
THROUGH V.C.)

AND:

1. SRI JAGADEESH Y.K.,
THE CHIEF OFFICER, HANGAL,
TOWN MUNICIPAL COUNCIL,
TQ. HANGAL, DIST. HAVERI.
2. SRI SATHYANARANAPPA D.,
ASSISTANT DIRECTOR OF LAND RECORDS,
HANGAL, TQ. HANGAL, DIST. HAVERI.
3. MANJUNATH R. MULIMANI,
THE TALUK SURVEYOR,
HANGAL, TQ. HANGAL,
DIST. HAVERI.



4. MAQBOOL AHMED KHAN PATHAN
S/O. MOHAMMAD KHAN,
R/O. BOMMANAHALLI,
TQ. HANGAL, DIST. HAVERI.

5. YASIR KHAN,
S/O. MOHAMMAD KHAN PATHAN,
MEMBER OF LEGISLATIVE ASSEMBLY,
SHIGGAON, TQ. SHIGGAON,
DIST. HAVERI.

... ACCUSED

6. THE STATE OF KARNATAKA,
REP. BY AGA.

... PROFORMA RESPONDENT

(BY SRI SANTOSH B. MANE, ADVOCATE FOR A1;
SRI M.A. PATHAN, ADVOCATE FOR A4 AND A5;
SRI SHARAD V. MAGADUM, ADVOCATE FOR A2 AND A3;
SRI SHARAD V. MAGADUM, AGA FOR PROFORMA R6)

THIS CCC IS FILED UNDER SECTION 11 AND 12 OF THE
CONTEMPT OF COURTS ACT, 1971, R/W ARTICLE 215 OF
CONSTITUTION OF INDIA, 1950, PRAYING TO INITIATE
CONTEMPT PROCEEDINGS AGAINST THE ACCUSED PERSONS
UNDER THE PROVISIONS OF THE CONTEMPT OF COURTS, ACT
AND PUNISH THE ACCUSED FOR DELIBERATELY DISOBEYING
THE ORDER DATED 24-04-2025 PASSED IN W.P.
NO.105122/2023 VIDE ANNEXURE-B AND PASS SUCH OTHER
ORDERS AS THIS COURT DEEMS FIT, IN THE FACTS AND
CIRCUMSTANCES OF THE CASE, IN THE INTERESTS OF JUSTICE.

THIS PETITION IS COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:



CORAM: THE HON'BLE MR. JUSTICE M.I.ARUN
AND
THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE M.I.ARUN)

1. The present contempt petition is filed by the complainant alleging violation of the orders passed by this Court in W.P. No.105122/2023. This Court in the said writ petition has passed the following order:

*"i. Writ Petition is **allowed**.*

ii. Impugned notice dated 04.07.2023 vide Annexure-G and the impugned notice dated 07.08.203 vide Annexure-J, issued by respondent No.3 – Taluk Surveyor, are quashed."

2. It is the case of the complainant that of the contesting respondents, accused No. 5, is the local Member of Legislative Assembly (hereinafter referred to as 'MLA') and that the Government acted in haste, in violation of the orders passed by this Court to favour the said MLA. It is alleged that in violation of the aforementioned order in W.P. No. 105122/2023, accused Nos. 2 and 3 surveyed the land



of accused Nos. 4 and 5 and erroneously marked certain areas belonging to the complainant as part of land owned by accused Nos.4 and 5. This allegedly resulted in accused Nos. 4 and 5 forcibly entering upon that portion of the land and taking possession of the same. It is submitted that such conduct of the accused amounts to wilful violation of the orders passed by this Court.

3. Learned AGA appearing for accused Nos. 2 and 3 submits that accused Nos. 2 and 3 merely surveyed the land of accused Nos. 4 and 5, and earmarked a portion of land which, in their opinion, was encroached upon by the complainant. A map has been produced along with the affidavit of accused No.2, wherein the alleged encroachment has been marked.

4. In our opinion, the actions of accused Nos. 2 and 3 prima facie amounts to contempt of the orders passed by this Court in W.P. No. 105122/2023.



5. Sri M.A.Pathan, learned counsel for accused Nos.4 and 5 bearing Registration No.159/2021, upon instructions, submits that irrespective of the statement of objections dated 30.07.2025 filed by them, they have not taken possession of the disputed property between the complainant and accused Nos.1, 2 and 3. The aforesaid stance of accused Nos. 4 and 5 is disputed by the complainant.

6. However, all the parties, including the complainant, accused Nos. 1 to 3, and accused Nos. 4 and 5 have no objections to restoring and maintaining *status quo ante* in respect of the property concerned, as it existed on the date of the decision of this Court in W.P.No. 105122/2023.

7. Learned counsel for accused Nos. 4 and 5 categorically submit that, as on date, they are not in possession of the property shown to have been encroached upon by the complainant in the map produced by accused



Nos. 2 and 3. He further submitted that they would approach the Civil Court of competent jurisdiction to redress their grievances, if any.

8. Learned counsel for the complainant has no objection for closing the contempt petition in light of the undertaking given by learned counsel for accused Nos. 2 and 3 and also learned counsel for accused Nos. 4 and 5.

9. In the light of the above, the contempt petition is closed. However, liberty is granted to the complainant to revive the contempt petition in the event of any violation of the aforementioned undertaking given by the respondents.

**Sd/-
(M.I.ARUN)
JUDGE**

**Sd/-
(B. MURALIDHARA PAI)
JUDGE**