



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF APRIL, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

CIVIL CONTEMPT PETITION NO. 1 OF 2023

BETWEEN:

1. SRI S CHALUVEGOWDA,
AGED ABOUT 80 YEARS,
S/O LATE SEETHARAMEGOWDA,
R/AT NO.16 MARIGUDI ROAD,
KUMBAR KOPPAL,
MYSURU -560 016.
2. SRI R JAYARAMU,
AGED ABOUT 51 YEARS,
S/O LATE RAMEGOWDA,
R/AT NO.19, KUMBARA BEEDI,
KUMBAR KOPPAL,
MYSURU -560 016.

...COMPLAINANTS

(BY SRI B S NAGARAJ, ADVOCATE)

AND:

1. DR. RAJENDRA K V,
DEPUTY COMMISSIONER,
MYSURU DISTRICT, MYSURU.
2. SRI GIRISH,
THE THASILDAR,
MYSURU TALUK, MYSURU -570 001.

...ACCUSED

Digitally signed
by RUPA V
Location: HIGH
COURT OF
KARNATAKA



3. THE STATE OF KARNATAKA,
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF REVENUE,
M S BUILDING,
BENGALURU -560 001.

...PROFORMA RESPONDENT

(BY SRI KHAMROZ KHAN S.R., AGA FOR A-1 & 2 AND
PROFORMA R-3)

THIS CCC IS FILED UNDER SECTIONS 11 AND 12 OF
THE CONTEMPT OF COURTS ACT, 1971, R/W ARTICLE 215 OF
THE CONSTITUTION OF INDIA TO INITIATE CONTEMPT
PROCEEDINGS AGAINST THE ACCUSED/RESPONDENTS AND
PUNISH THE ACCUSED UNDER THE CONTEMPT OF COURTS
ACT, 1971 FOR THEIR WILLFUL DISOBEDIENCE OF THE ORDER
DATED 17.01.2011 AND 31.05.2012, PASSED IN
W.P.NO.13233/2010 (ULC-PIL) COPY AT ANNEXURE-'A', A1.

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

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL



ORAL ORDER

(PER: HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL)

This contempt petition is filed alleging willful disobedience of the order dated 17.01.2011 passed by the learned Single Judge in W.P.No.13233/2010 (ULC-PIL) and the interim order dated 31.05.2012 passed on I.A.No.1/2012 and 2/2012 in the said writ petition.

2. Heard the learned counsel for the complainant and learned Additional Government Advocate.

3. The grievance of the complainants in this contempt petition is that the aforesaid orders have been violated. It is submitted that the suits filed by the father of complainants are decreed and based on such decree, an application came to be filed before the jurisdictional Tahasildar to effect the RTCs in their name. However, the Tahasildar is taking a similar stand by contending that the subject property is a Government land and the said contention would be contrary to the material on record. Hence, he seeks to continue with the proceedings by framing the charge and punishing the accused.



4. Per contra, learned Additional Government Advocate appearing from the respondents-State submits that the Division Bench of this Court in the order dated 31.05.2012 at Annexure-A1 has directed to maintain status quo as of today and the Government was directed to ensure that no encroachment or unauthorized occupation takes place on any future date and the said order will remain in force till the disposal of suits. In view of disposal of the suits and as there is no encroachment, it is submitted that the Tahasildar has filed an affidavit dated 13.04.2023 which indicates that there is no willful disobedience and they have taken steps to remove the private encroachment. Hence, he seeks to dismiss the petition.

5. We have heard the arguments on both sides and perused the material available on record.

6. It is to be noticed that the present contempt petition is filed alleging willful disobedience of the orders referred supra. The relevant portion of the order dated 31.05.2012 reads as under:

"Status quo shall be maintained as of today and the Government is directed to ensure that no encroachment or unauthorized occupation takes place on



any future date. The Tahasildar, Mysore Taluk, who is present in Court, is directed to take steps for fencing the land in question. These orders shall remain in force till the disposal of O.S.No.366/2002 and O.S.Nos.367/2002 pending on the file of the Civil Judge (Sr.Dn), Mysore."

7. It is not in dispute between the parties that the aforesaid suits have been decreed in favour of the complainants. The contention of the complainants is that despite the decree in their favour, the jurisdictional Tahasildar is not effecting the RTC in respect of the suit schedule property in their name. The perusal of the affidavit of the Tahasildar dated 13.04.2023 indicates that the Tahasildar has taken steps to remove the unauthorised structures, which has been referred at para No.8 of the affidavit.

8. Insofar as the contention of the complainants that the Tahasildar is not taking steps to effect the RTC in their name is concerned, in our considered view, the said contention would go beyond the scope of the present proceedings. However, at this stage, the learned AGA, on instructions, submits that the application of the complainants for effecting



the RTC in their favour is under consideration and they will take a decision within a period of two (02) weeks.

9. In view of the aforesaid submission and considering the compliance affidavit filed by the respondent-State, we are of the considered view that there is no willful disobedience of the orders referred supra. Hence, the contempt proceedings are ***dropped.***

Notice issued to the accused stands discharged.

Sd/-
(ANU SIVARAMAN)
JUDGE

Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE