



NC: 2026:KHC:48373
WP No. 8415 of 2018

CNR: KAHC010026732018

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 8415 OF 2018 (SC/ST)

BETWEEN:

M.D.NARAYANA SWAMY,
S/O. LATE SRI. DODDA KEMPANNA,
AGED ABOUT 71 YEARS,
R/AT MALIYAPPANAHALLI VILLAGE,
VEMGAL HOBLI, KOLAR TALUK-563101.

...PETITIONER

(BY SRI. A.MADHUSUDHANA RAO, ADVOCATE)

AND:

1. KARNATAKA STATE SCHEDULE CASTE
AND SCHEDULE TRIBES COMMISSION
NRUPATHUNGA ROAD,
BENGALURU-560009
REPRESENTED BY ITS SECRETARY.
2. SRI. MUNIYAPPA
AGED ABOUT 50 YEARS,
S/O. LATE A.K.NARAYANASWAMY,
R/AT MALIYAPPANAHALLI VILLAGE,
VEMGAL HOBLI, KOLAR TALUK-563101.
3. THE DEPUTY COMMISSIONER,
KOLAR DISTRICT,
KOLAR-563101.
4. THE ASSISTANT COMMISSIONER,
KOLAR SUB-DIVISION,
KOLAR-563101.

Digitally signed by
PREMCHANDRA M R
Location: HIGH
COURT OF
KARNATAKA



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5. ASSISTANT DIRECTOR OF CO-OPERATIVE SOCIETIES
AND RECOVERY OFFICER CO-OPERATIVE SOCIETIES
KOLAR SUB DIVISION,
KOLAR-563101.
6. SECRETARY
P.C.A. AND R.D.BANK (PLD BANK)
KOLAR-563101.

...RESPONDENTS

(BY SRI. K.CHANDRAMOHAN, ADVOCATE FOR R1;
SRI. S.M.SHIVAKUMAR, ADVOCATE R2 - ABSENT;
SMT. SAVITHRAMMA, AGA FOR R3 TO R5;
SRI. B.V.ANANDA, ADVOCATE FOR R6 - ABSENT)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.

THIS WRIT PETITION IS LISTED FOR PRELIMINARY
HEARING IN 'B' GROUP ON THIS DAY. AN ORDER IS MADE AS
UNDER:

ORAL ORDER

Sri. A. Madhusudhan Rao, counsel for the petitioner,
appeared via video conferencing.

Sri. K. Chandramohan, counsel for respondent No. 1, and
Smt. Savithramma, Additional Government Advocate for
respondents Nos. 3 to 5, appeared in person.



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No representation was made on behalf of respondents Nos. 2 and 6.

2. This petition is filed seeking the following reliefs:

1. Issue a writ of prohibition restraining respondent No.1 from holding further proceedings in Case No.Jameenu/18/2015 pursuant to the impugned notice bearing No. Jameenu C.R.8/15-16 dated 16.04.2015 issued by respondent No.1 in respect of case No.18/2015 found at Annexure-F and declare that respondent No.1 has no jurisdiction to go into the correctness or otherwise of the orders passed by respondents 3 and 4 under the provisions of Karnataka Schedule Castes and Schedule Tribes (Prohibition or transfer of certain lands) Act, 1978 or the action taken by respondent No.5 under the provisions of Karnataka Co-operative Societies Act, allow this writ petition with costs and grant such other reliefs as this Hon'ble Court deems fit to grant in the circumstances of the case.



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3. Counsel for the respective parties urged several contentions.

Counsel for the petitioner, in presenting his arguments, submits that respondent No.2, Sri. Muniyappa, filed a complaint before the Commission, and that the Commission, without jurisdiction, proceeded in the matter and issued summons. He argued that the Assistant Commissioner and the Deputy Commissioner were justified in rejecting the claim. Counsel therefore submitted that the proceedings before the Commission are liable to be quashed.

The Additional Government Advocate for respondent Nos.3, 4 and 5 also acknowledges the said submission. She justified the action of the Assistant Commissioner and the Deputy Commissioner.

Counsel for respondent No.1 advanced several contentions.

4. Heard the arguments and perused the papers with utmost care.



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5. The issue falls within a narrow compass and concerns the Commission's jurisdiction to entertain the complaint and issue summons.

The land was granted to Sri A. K. Narayanappa on 26.09.1964, with a non-alienation period of 15 years. Due to financial difficulties, he mortgaged the property with the Co-operative Society. When he defaulted on the loan, the Bank auctioned the property, which the petitioner purchased and the sale was confirmed on 19.04.1982. The sale was challenged before the Assistant Commissioner, who dismissed the claim on 27.11.2008. An appeal was filed before the Deputy Commissioner, who confirmed the order on 26.02.2014. Subsequently, a legal representative of the grantee filed a complaint with the Commission, which issued summons. In my opinion, this complaint is misplaced because the proceedings pertain to PTCL and the Commission has no jurisdiction to go into the correctness or otherwise of the orders passed by the Assistant Commissioner and Deputy Commissioner under the PTCL Act. If the grantee has any grievances regarding the



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orders of the Assistant or Deputy Commissioner, the proper remedy lies before the appropriate legal forum, not by filing a complaint before the Commission. It can be safely concluded that the Commission failed to evaluate the relevant factors and overlooked essential issues properly. As a result, it ought to have dismissed the complaint. Its claims to jurisdiction and the issuance of summons are unfounded and legally unsupported.

6. Based on the reasons outlined above, this Court concludes that the complaint should be dismissed, and the proceedings initiated by the Commission are legally unsustainable and are therefore nullified.

7. Accordingly, the writ petition is ***allowed***.

On disposal of the Writ Petition, any interim order stands discharged, and pending interlocutory applications, if any, are disposed of.

**SD/-
(JYOTI M)
JUDGE**

SS
List No.: 1 Sl No.: 22