



CNR: KAHC010059562021

NC: 2026:KHC:55966
WP No. 2700 of 2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 06TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

WRIT PETITION No.2700 OF 2021 (GM-RES)

BETWEEN:

1. SMT B K ASHA
W/O CHANDRASHEKAR
AGED ABOUT 55 YEARS
W/AS REVENUE INSPECTOR
RAMACHANDRAPURA CIRCLE
YELAHANKA TALUK
BENGALURU DISTRICT
AND R/A NO.511, 3RD F MAIN
6TH CROSS, ANNAPURNESHWARINAGAR
BENGALURU-560 091

2. SRI PRASAD P S R
S/O P S SHESHANNA
AGED ABOUT 48 YEARS
W/AS SHERISHTHDAR
HOUSE RENT CONTROL OFFICE
3RD FLOOR, KANDAYA BHAVANA
BENGALURU-560 001

Digitally
signed by R
MANJUNATHA

Location:
HIGH COURT
OF
KARNATAKA

...PETITIONERS

(BY SRI. PARAMESHWAR N HEGDE, ADVOCATE FOR
PETITIONER NO.1;

SRI P.N.NANJAREDDY, ADVOCATE FOR PETITIONER NO.2)

AND:

1. THE REGIONAL COMMISSIONER AND
DISCIPLINARY AUTHORITY
2ND FLOOR, BMTC BUILDING
K H ROAD, SHANTHINAGAR
BANGALORE-560 027



NC: 2026:KHC:55966
WP No. 2700 of 2021

CNR: KAHC010059562021

2. THE DEPUTY COMMISSIONER AND DISCIPLINARY
AUTHORITY
BENGALURU URBAN DISTRICT
BANGALORE-560 009

3. THE ADDITIONAL DIRECTOR GENERAL OF POLICE
ANTI CORRUPTION BUREAU
NO.47, KHANIJA BHAVANA
RACE COURSE ROAD
BANGALORE – 560 001

STATE OF KARNATAKA BY LOKAYUKTHA POLICE
BENGALURU CITY
REPRESENTED BY ITS
SPECIAL PUBLIC PROSECUTOR
HIGH COURT OF KARNATAKA
BENGALURU – 560 001

**SUBSTITUTED VIDE COURT ORDER DATED
06.12.2023**

4. SRI A M KALANDAR
S/O MOHIDEEN
AGED ABOUT 65 YEARS
R/A NO.167, DODDABETTAHALLI
VIDYARANYAPURA POST
BENGALURU-560 097

(BY SMT.K.P.YASHODHA, ADDITIONAL GOVERNMENT
ADVOCATE FOR R1 AND R2;
SRI M.MUDDAYYA, ADVOCATE FOR R4 –ABSENT;
SRI B.B.PATIL, ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA R/W SECTION 482
CODE OF CRIMINAL PROCEDURE PRAYING TO QUASH THE FIR
IN CRIME NO.50/2020 DATED 16.12.2020 ON THE FILE OF THE
R-3 VIDE ANNEXURE-W AND THE ORDERS OF SANCTION
DATED 29.09.2020 VIDE ANNEXURE-T PASSED BY THE R-2



CNR: KAHC010059562021

NC: 2026:KHC:55966
WP No. 2700 of 2021

AND THE ORDER DATED 09.12.2020 VIDE ANNEXURE-V PASSED BY THE RESPONDENT No.1 AS THE SAME ARE ILLEGAL AND CONTRARY TO THE PROVISIONS OF THE PREVENTION OF CORRUPTION ACT AND ALSO THE KARNATAKA LAND REVENUE ACT AND ALSO IN VIOLATION OF PRINCIPLES OF NATURAL JUSTICE AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE V SRISHANANDA

ORAL ORDER

Heard Sri Parameshwar N. Hegde, learned counsel for petitioner No.1, Sri P.N.Nanjareddy, learned counsel for petitioner No.2, Sri K.P.Yashodha, learned Additional Government Advocate for respondent Nos.1 and 2, Sri B.B.Patil, learned counsel for respondent No.3. Sri M.Muddayya, learned counsel for respondent No.4 is absent.

2. Petition under Articles 226 and 227 of the Constitution of India r/w Section 482 of the Code of Criminal Procedure with the following prayer:

"(a) Issue a writ of certiorari or any other appropriate writ, order quashing the FIR in Crime No.50/2020 dated 16.12.2020 on the file of the 3rd respondent (Annexure-W) and the orders of sanction bearing No.CCA/CR/2/2020-21 dated 29.09.2020



CNR: KAHC010059562021

(Annexure-T) passed by the 2nd respondent and the order bearing No.RCB/TAHB/CCA/30/2020 dated 09.12.20202 (Annexure-V) passed by the 1st respondent as the same are illegal and contrary to the provisions of the Prevention of Corruption Act and also the Karnataka Land Revenue Act and also in violation of principles of natural justice.

(b) Issue a writ of mandamus or any other appropriate writ order or direction, directing the respondents to grant all the consequential benefits consequent upon quashing the orders at Annexures-T, V and W.

(c) Issue a writ of mandamus or any other appropriate writ order or direction, directing the 4th respondent to pay the costs/damages to each of the petitioners a sum of Rs.1,00,000,00/- (Rupees one crore only) for having illegally made allegations against the petitioners consequent upon quashing the orders at Annexures-T, V and W."

3. Petitioners herein are working as Village Accountant and Sheristedar respectively.

4. In respect of the land bearing Sy.No.59, 60 and 61 of Chikkabettahalli Village, there was an entry in the Record of



CNR: KAHC010059562021

Rights extract to the effect that those lands belong to Government and alienation is prohibited.

5. Later on, the said entry was ordered to be removed as per the order of the Deputy Commissioner dated 03.06.2019 based on the observations made by the co-ordinate Bench of this Court in Writ Petition Nos.27013/2018 and 27662-27663/2018 dated 26.02.2019.

6. Based on the order passed by the Deputy Commissioner on 03.06.2019 which is marked as Annexure-X to the present Writ Petition, these petitioners have removed the endorsement in the column No.11 of the ROR extract of the land bearing Survey Nos.59, 60 and 61 of Chikkabettahalli Village.

7. Criminal complaint came to be lodged in this regard by the respondent No.4 alleging that not only there is a dereliction of duty on the part of the first petitioner which has been approved by the second petitioner, but also they have misused their official position for extraneous consideration, Crime No.50/2020 by Anti Corruption Bureau, presently Lokayukta.



CNR: KAHC010059562021

8. Registration of the FIR is called in question in this writ petition on various grounds.

9. Sri. Parameshwar N.Hegde and Sri P.Nanjareddy, learned counsel appearing for the petitioners in unison would contend that petitioners herein have only adhered to the directions issued by their official superior.

10. Therefore, there is no iota of merit in any one of the allegations which resulted in filing the complaint against the petitioners and sought for quashing of the same, as continuation thereof would amount to abuse of process of law.

11. Sri B.B.Patil, learned counsel representing Lokayukta-respondent No.3 and Smt.K.P.Yashodha, learned Additional Government Advocate for respondent Nos.1 and 2, would contend that, if the petitioners are insulated by the order of the Deputy Commissioner, the Investigation Officer would definitely take into consideration and file appropriate report and therefore, petition needs to be dismissed.



CNR: KAHC010059562021

12. In fact, draft charge sheet that is placed on record along with the statement of objections would go to show that the Investigation Officer is of the opinion that there is dereliction of duty on the part of the petitioners in removing the endorsement in column No.11 of the RoR extract in respect of land bearing Sy.No.59, 60, 61 of Chikkabettahalli and therefore sought for dismissal of the petition.

13. Having heard the arguments of both side this Court carefully perused the material on record meticulously.

14. With regard to the endorsement found in column No.11, there was a litigation earlier which was ultimately disposed of by this Court in the W.P Nos. 27013/2018 and 27662-27663/2018 dated 26.02.2019.

15. Pursuant to the orders passed by this Court in those writ petitions, an order came to be passed by the Deputy Commissioner vide Annexure-X, as referred to supra.

16. It was specifically noticed that the mutation register number that was referred for inserting the endorsement that



CNR: KAHC010059562021

the land belongs to Government and prohibition of alienation was without there being any supporting material as the mutation proceedings which was mentioned in the column No.11 which resulted in inserting such an endorsement in column No.11 of the ROR extract of the aforesaid lands was in respect of some other proceedings.

17. Therefore Deputy Commissioner after securing the records has passed the order at Annexure-A and directed the concerned officials to do the needful as per the Rules and Regulations.

18. Present petitioners being the Village Accountant and Sheristedar of the Taluk Office, have implicitly obeyed the orders of the Deputy Commissioner pursuant to the orders passed in the Writ Petitions referred to supra and have removed the endorsement in column No.11.

19. Therefore, this Court does not find any dereliction of duty on the part of the petitioners nor disobedience or negligence in removing the endorsement.



CNR: KAHC010059562021

20. Further, who was benefited by removing such an endorsement is also not forthcoming from the complaint except averring that there is misuse of the official position for extraneous consideration.

21. No other material whatsoever is found on record which would compel this Court to order for investigation and filing of report.

22. In fact, on the contrary, continuation of the criminal proceedings itself is abuse of process of law warranting exercise of the inherent jurisdiction of this Court in quashing the pending proceedings.

23. Accordingly, the following:

ORDER

(i) Petition ***allowed***.

(ii) Consequently, crime in FIR No.50/2020 dated 16.12.2020 registered by the 3rd respondent is hereby ***quashed***.

**Sd/-
(V SRISHANANDA)
JUDGE**

kcm
List No.: 1 Sl No.: 60
CT:VRR