



CNR: KAHC010060452025

NC: 2026:KHC:45681-DB
CCC No. 114 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF AUGUST, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

CIVIL CONTEMPT PETITION NO. 114 OF 2025

BETWEEN:

SWAMI SUKHABODHANANDA SARASWATI,
AGED ABOUT 68 YEARS,
S/O LATE CMS MOORTHY,
R/AT: NO.1, NIRGUNA MANDIR LAYOUT,
ST BED AREA, 1ST BLOCK, KORAMANGALA,
BENGALURU-560 047.

DULY REP. BY SPA HOLDER
MR. JITENDER V. JOSHI,
AGED ABOUT 65 YEARS,
SON OF MR.VISHNUDAS JOSHI.

...COMPLAINANT

Digitally
signed by K S
RENUKAMBA
Location: High
Court of
Karnataka

(BY SMT.ADYA BOJAMMA, ADVOCATE FOR
SRI.JAGADISHCHANDRA KAMATH.K., ADVOCATE)

AND:

1. STATE OF KARNATAKA,
DEPARTMENT OF SURVEY SETTLEMENT,
LAND RECORDS SSLR BUILDING,
K.R.CIRCLE, BENGALURU-560 001,
REP. BY ITS PRINCIPAL SECRETARY.

...PROFORMA RESPONDENT



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2. SRI.N.S.SACHIN,
ASSISTANT DIRECTOR OF LAND RECORDS,
BENGALURU SOUTH, K.R.CIRCLE,
BENGALURU-560 001.
3. SRI.K.NAGRAJ,
THE SPECIAL TAHSILDAR,
BENGALURU SOUTH TALUK,
BENGALURU-560 009.

...ACCUSED

(BY SMT.B.SUKANYA BALIGA, HCGP,
FOR PROFORMA RESPONDENT NO.1;
ACCUSED NO.2 AND ACCUSED NO.3 SERVED)

THIS CIVIL CONTEMPT PETITION IS FILED UNDER ARTICLE 215 OF THE CONSTITUTION OF INDIA R/W SECTION 11 AND 12 OF THE CONTEMPT OF COURTS ACT, 1971, BY THE COMPLAINANT, WHEREIN PRAYS THAT THE HON'BLE COURT MAY BE PLEASED TO INITIATE CONTEMPT PROCEEDINGS AND PUNISH THE ACCUSED NO.2 AND 3 FOR GROSS DISOBEDIENCE OF THE ORDER DATED 25.04.2024 PASSED BY THIS HON'BLE COURT IN W.P.NO.9175/2024 (KLR-RES).

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

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

I.A.No.1/2025 is filed on 16.10.2025 seeking revival of the contempt petition in view of the liberty granted by this



Court on 04.09.2025. For the reasons stated in the affidavit in support of the application, I.A.No.1/2025 is allowed.

2. This contempt petition is filed seeking initiation of contempt proceedings against accused Nos.2 and 3 for gross disobedience of the order dated 25.04.2024 passed by this Court in Writ Petition No.9175/2024.

3. By the order dated 25.04.2024 in the aforesaid writ petition, the Court, after noticing the submission of the learned counsel for the petitioner that online application was filed by the petitioner on 21.11.2022 for phodi and durast, no such steps have been taken, directed respondent No.2, the Assistant Director of Land Records, to carry out the phodi and durast in terms of the online application filed by the petitioner on 21.11.2022 within a period of two months from the date of receipt of copy of the order. On 04.09.2025, in this contempt petition, in view of the statement made by the learned AGA, that the order passed by this Court would be complied within a period of four weeks, the complaint was closed with liberty to the complainant to revive the same, if the statement made on that day was not adhered to.



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4. On 10.12.2025, the following order was passed by the Court:

"1. The complainant is at liberty to file a fresh Online Application for Phodi and take other necessary steps.

2. List on 10.03.2026."

5. Today, the learned counsel for the complainant states that an attempt was made to file an online application from the office of the accused, but since there was an issue with the software at the said office, the application could not be processed online and therefore, the application was submitted physically before the concerned Authority.

6. When queried, the learned counsel for the complainant admits that no physical application for phodi and durast would be maintainable in view of the extant guidelines regarding all such applications being made online.

7. The learned AGA has referred to the second compliance affidavit filed on 02.12.2025 that is after the aforesaid order dated 04.09.2025 was passed by the Court. This compliance affidavit is sworn by Srikanta, then working as



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the Assistant Director of Land Records. It is stated in paragraph No.3 of this affidavit that in compliance of the order of this Court dated 25.04.2024, the online application dated 21.11.2022 has been enclosed with the affidavit and the said application was closed through the MOJINI software on 29.01.2023 due to mismatch of the RTC extent when compared with Akarbandh of Survey No.190 situated in Agara Village, Kengeri Hobli, Bengaluru South Taluk. It is further stated in paragraph No.4 that the complainant had filed another online application dated 14.02.2023 which was also closed through the MOJINI software on 15.02.2024 based on the written representation dated 29.01.2024 given in the name of the complainant requesting to close the said application in light of the order passed by the Assistant Commissioner, Bengaluru South Sub-Division dated 21.11.2023 wherein the Assistant Commissioner directed the jurisdictional Tahsildar to effect Khatha in the name of Smt. Thirumamma in respect of Survey No.190 measuring 6 acres situated in Agara Village, Kengeri Hobli, Bangalore South Taluk. Aggrieved by that order of the Assistant Commissioner the complainant had preferred a



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Review Petition before the District Commissioner which Review Petition was dismissed on 02.05.2025. It appears that the Review Petition was dismissed with a suggestion to the complainant to resolve his grievances in respect of his legal rights before the Principal Civil Judge, Bengaluru Rural, Bengaluru in O.S. No.246/2024 as the same is pending consideration.

8. The O.S. No.246/2024 has admittedly been filed by the complainant. The Annexure - R11 to this compliance affidavit is an endorsement dated 24.10.2025. A copy of which has also been issued to the complainant, which specifically refers to the fact that his application dated 21.11.2022 had been disposed of due to the difference in record of rights on 29.01.2023.

9. However, we are chagrined to note that in the contempt petition, there is no averment as to this fact that the application dated 21.11.2022 had already been disposed of.

10. We find that this contempt petition has been filed concealing this material fact. The contempt petition is therefore



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consigned with cost of Rs.5,000/- to be paid by the complainant to the Karnataka State Legal Services Authority, Bengaluru within a period of one month. Failure to pay costs shall entail its recovery as a fine within one month thereafter.

11. Pending applications, if any, stand disposed of.

**Sd/-
(JAYANT BANERJI)
JUDGE**

**Sd/-
(TARA VITASTA GANJU)
JUDGE**

KG
List No.: 1 Sl No.: 6