



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO.13874 OF 2025 (GM-RES)

BETWEEN:

SRI PRADEEP G.
ADVOCATE
S/O. GUNDAPPA
AGED ABOUT 49 YEARS
NO.155, 8TH MAIN, 8TH CROSS
ANNAPOORNESHWARI TEMPLE ROAD
1ST STAGE, HEBBAL
MYSURU-570 016

...PETITIONER

(BY SRI PRADEEP G., (PARTY IN PERSON))

AND:

1. THE KARNATAKA STATE BAR COUNCIL
REPRESENTED BY ITS CHAIRMAN
OLD ELECTION, ELECTION COMMISSION OFFICE
DR. AMBEDKAR VEEDHI
BENGALURU-560 001

2. SRI J. M. AIYANNA
ADVOCATE
NO.1143/1E, GEETHA ROAD
CHAMARAJAPURAM
MYSURU-570 005

...RESPONDENTS

(BY SRI G. NATARAJ, ADVOCATE FOR R-1;
SRI P. N. MANMOHAN FOR
SRI VINAY N., ADVOCATES FOR R-2)

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT NO.1 TO HOLD AN ENQUIRY AGAINST THE RESPONDENT NO.2 AND TO PASS APPROPRIATE ORDERS BY FOLLOWING DUE PROCESS OF LAW.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Petitioner is before this Court seeking for the following reliefs:

Wherefore, the Petitioner Humbly and Respectfully prays this Hon'ble High Court be pleased to:

a) Issue Writ of Mandamus by directing the Respondent No.1 to hold an enquiry against the Respondent No.2.

b) Grant such other reliefs, which this Hon'ble High Court deems fit for the facts and circumstances of the case in the interest of Equity and to secure the ends of justice.



2. Though the documentation is bulky, essential allegation made by the petitioner is that one Sri.P.N.Sridhara had filed a suit in O.S.No.221/1991 against the parents of the petitioner, viz., H.Jayamma and Gundappa before the Small Causes Court, Mysore for recovery of Rs.80,000/-. Later, on account of pecuniary jurisdiction issue, the same came to be transferred to II ACJ (Sr.Dn.) in O.S.No.52/1994 came to be decreed in the year 1995. The said P.N.Sridhara filed execution proceedings in Execution No.72/1998, wherein the property was brought for sale and one I.P.Subbaiah was declared as the successful purchaser.
3. The said I.P.Subbaiah had filed the execution proceedings before even having a sales certificate and as such, the entire proceedings for execution were initiated without any basis and was closed on 20.12.2002 as fully satisfied. Subsequently, I.P.Subbaiah filed Misc. Petition No.75/2002 seeking



for delivery of possession of the property and in that matter for the first time, sought for issuance of the sales certificate, which was subsequently allegedly created by I.P.Subbaiah.

4. Thereafter, one more execution petition came to be filed in Execution No.93/2007 by I.P.Subbaiah, R.Murthy and R.Bhaskar, wherein Respondent No.2 appeared for R.Murthy and R.Bhaskar. It is on that basis, it is alleged that that the second execution petition was concocted one knowing fully well that there was no sale certificate issued in the name of I.P.Subbaiah, these proceedings have been initiated. The 2nd respondent appearing for R.Murthy and R.Bhaskar is complacent in the matter and as such, civil proceedings have been initiated. The 1st respondent has dropped the proceedings without referring the same to the disciplinary authority. Though the same has not been challenged, the



present petitioner only seeks for a mandamus, as indicated supra.

5. Be that as it may. Even on the facts, the 2nd respondent is not a lawyer of I.P.Subbaiah even in Execution No.72/1998 or in Misc.No.75/2002. He entered appearance only in Execution No.93/2007 and appeared for R.Murthy and R.Bhaskar. The allegations are in respect of Sales Certificate not being issued in both in Execution No.72/1998 or in Misc.No.75/2002 traceable to the 2nd respondent.
6. Be that as it may. Even if a false case has been filed by a party to a litigation, unless a higher degree of proof is placed on record indicating that lower is involved, the lawyer cannot be held responsible.
7. In the present case, merely because Respondent No.2 has appeared for R.Murthy and R.Bhaskar, disciplinary proceedings as sought for against Respondent No.2 cannot be directed to be initiated.



NC: 2026:KHC:31062
WP No. 13874 of 2025

8. No grounds being made out, Petition stands
dismissed.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

BNV
List No.: 1 Sl No.: 47