



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF MAY, 2026

PRESENT

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

AND

THE HON'BLE MR. JUSTICE RAJESH RAI K

WRIT PETITION NO. 14689 OF 2026 (S-KSAT)

BETWEEN:

SRI. G. SRINIVASA MURTHY
S/O LATE C. GOPAL,
AGED ABOUT 51 YEARS,
WORKING AS EXECUTIVE ENGINEER (EAST)
VANI VILAS WATER WORKS,
MYSURU CITY CORPORATION,
MYSURU-570 020
RESIDING AT NO.175, 6TH CROSS, NAVILU ROAD,
A & B BLOCK, KUVEMPU NAGAR,
MYSURU-570 023

...PETITIONER

(BY SRI. PRITHVEESH .M.K, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY PRINCIPAL SECRETARY

Digitally signed
by PANKAJA S
Location: HIGH
COURT OF
KARNATAKA



TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT,
VIKASA SOUDHA,
DR.B.R. AMBEDKAR VEEDHI,
BENGLAURU-560 001

2. THE KARNATAKA LOKAYUKTA
REPRESENTED BY ITS REGISTRAR,
PARK HOUSE ROAD,
BENGALURU-560 001

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA FOR R1,
SRI. VENKATESH S ARABATTI, SPL. PP FOR R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OR ORDER SETTING ASIDE THE IMPUGNED ORDER DATED 23/04/2026 PASSED BY THE HON'BLE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL, BENGALURU BENCH IN APPLICATION NO.2396/2026 (ANNEXURE-A) IN SO FAR AS REJECTION OF INTERIM PRAYER IS CONCERNED AND CONSEQUENTLY GRANT THE INTERIM ORDER OF STAY AS PRAYED FOR BY THE PETITIONER BEFORE THE HON'BLE TRIBUNAL IN APPLICATION NO.2396/2026 (ANNEXURE-B) AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM
and
HON'BLE MR. JUSTICE RAJESH RAI K



ORAL ORDER

(PER: HON'BLE MR. JUSTICE RAJESH RAI K)

In this writ petition, the petitioner has challenged the order passed by the Karnataka State Administrative Tribunal, Bengaluru (for brevity, "**Tribunal**") in Application No.2396/2026 dated 23.04.2026, wherein the Tribunal declined to grant interim order to stay the order of entrustment dated 06.12.2025 passed by the respondent No.1 as per Annexure-A11 and the articles of charges dated 06.02.2026 against the petitioner passed by the respondent No.2, as per Annexure-A12.

2. Briefly stated facts of the case are that:

The petitioner is presently working as an Executive Engineer in the respondent No.1–Department. It is stated that he married one Smt. Asha on 10.11.1999; however, owing to a strained marital relationship, they have been living separately since 2003. It is further averred that the petitioner's wife has initiated several proceedings against him and has also lodged a complaint before respondent No.2 alleging that the petitioner has amassed assets disproportionate to his known sources of income.



3. Pursuant thereto, the said complaint came to be forwarded by respondent No.2 to the Inspector of Police, who, after enquiry, submitted a report dated 22.07.2020 to respondent No.2. The same was thereafter forwarded to the Additional Registrar, Karnataka Lokayukta, for appropriate action. In the interregnum, on 30.11.2020, the petitioner's wife is stated to have lodged yet another complaint before respondent No.2 reiterating similar allegations. Based on the said complaint, the Deputy Registrar of Enquiries-3 issued a notice dated 19.07.2021 to the petitioner calling upon him to submit his explanation. The petitioner is stated to have submitted his replies on 13.08.2021 and 17.08.2022.

4. Subsequently, the Senior Assistant Public Prosecutor-I, Karnataka Lokayukta, issued a notice dated 18.02.2025 seeking further explanation with regard to the particulars of the petitioner's assets as furnished by the Chief Engineer, Communication and Buildings, PWD, Bengaluru. In response, the petitioner submitted his reply along with supporting documents on 12.05.2025.



5. Thereafter, the Lokayukta submitted a report dated 21.07.2025 under Section 12(3) of the Karnataka Lokayukta Act, 1984 (for brevity, "**the Act**"), opining that the petitioner had failed to obtain prior permission from the competent authority while acquiring properties and availing loans, thereby committing misconduct under Rule 23(1), (2), (3) and (4) of the Karnataka State Civil Services (Conduct) Rules, 1966, and recommended that an enquiry be initiated against him under Rule 14A of the Karnataka Civil Services (CCA) Rules, 1957. Acting on the said recommendation, respondent No.1 passed the entrustment order dated 06.12.2025 entrusting the enquiry to the Upalokayukta-1 under Rule 14A of the aforesaid Rules, as per Annexure-A11.

6. Consequently, the Additional Registrar of Enquiries-20 issued the impugned Articles of Charges dated 06.02.2026 against the petitioner, as per Annexure-A12. Aggrieved thereby, the petitioner approached the Tribunal seeking a writ of certiorari to quash Annexures A11 and A12, along with other consequential reliefs, and also filed an application seeking interim stay of the operation and implementation of the said



annexures. The Tribunal, however, declined to grant interim relief. Challenge to the same is *lis* before this Court.

7. We have heard Sri. Prithveesh M.K., learned counsel for the petitioner, Smt. B.P. Radha, Learned Additional Government Advocate for Respondent No.1 and Sri. Venkatesh S Arabatti, Learned Special Public Prosecutor for Respondent No.2 so also perused the documents placed before us.

8. Apart from urging various other contentions, the learned counsel for the petitioner would primarily contended that the Tribunal has failed to appreciate that there was no complaint specifically alleging acquisition of assets by the petitioner without prior permission. It is his submission that respondent No.2 has *suo motu* taken cognizance of the allegations made by none other than the petitioner's wife, which, according to him, is impermissible under the provisions of the Act, except in respect of "action" as defined under Section 2(1) of the Act.

9. He further contended that the alleged *suo motu* investigation conducted by respondent No.2 was not made



known to the petitioner, which is in violation of the mandate under Section 9(3)(a) read with Section 7(2) of the Act. It is also his contention that the entrustment order is contrary to Section 12(4) of the Act. On these grounds, he seeks that the writ petition be allowed.

10. Per contra, the learned Additional Government Advocate for respondent No.1 and learned Special Public Prosecutor for respondent No.2 have opposed the relief sought for by the petitioner.

11. We have carefully perused the impugned order as well as Annexures-A11 and A12. Section 7 of the Act, which delineates the matters that may be investigated by the Lokayukta or an Upalokayukta, reads as follows:

"7. Matters which may be investigated by the Lokayukta and an Upalokayukta-

(1) xxxx

(2) *Subject to the provisions of this Act, an Upalokayukta may investigate any action which is taken by or with the general or specific approval of, any public servant not being the Chief Minister, Minister, Member of the Legislature, secretary or other public servant referred to in sub-section (1), in*



any case where a complaint involving a grievance or an allegation is made in respect of such action or such action can be or could have been, in the opinion of the Upalokayukta, the subject of a grievance or an allegation;"

12. The word "action" for the purposes of Section 7(2) is defined under Section 2(1) of the Act, which reads as under:

2. Definitions.-In this Act, unless the context otherwise requires,-

(1) "action" means administrative action taken by way of decision, recommendation or finding or in any other manner and includes wilful failure or omission to act and all other expressions relating to such action shall be construed accordingly;

13. Thus, on a careful reading of the aforesaid provisions, it is evident that the power of respondent No.2 to initiate *suo motu* proceedings against a Government servant (in the absence of a specific complaint) is confined only to matters relating to "action" taken by a public servant, as defined under Section 2(1) of the Act. Section 9 of the Act deals with complaints and investigations, and Section 9(3)(a) of the Act mandates that a copy of the complaint, the investigation initiated, and the opinion recorded by the Lokayukta be furnished to the concerned public servant.



14. In the instant case, it is the specific contention of the petitioner that there has been non-compliance with the mandate of Section 9(3)(a) of the Act and that respondent No.2 lacked the authority under Section 7(2) of the Act to initiate the proceedings. In our considered view, this aspect of the matter requires a deeper examination by the Tribunal. Pending such consideration, we deem it appropriate to direct the respondents to maintain status quo as on today. Accordingly, the writ petition stands ***disposed of.***

15. The observations made in this petition shall not come in the way of the Tribunal while disposing the application.

SD/-
(SACHIN SHANKAR MAGADUM)
JUDGE

SD/-
(RAJESH RAI K)
JUDGE