



CNR: KAHC010340702025

NC: 2026:KHC:47375-DB
CCC No. 575 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF SEPTEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

CIVIL CONTEMPT PETITION NO. 575 OF 2025

BETWEEN:

SRI. SHIVANNA S
S/O LATE SIDDAPPA HERALINGAIAH,
AGED ABOUT 76 YEARS,
NO.88, DODDERI,
THAVAREKERE HOBLI,
CHIKKANAHALLI,
BANGALORE RURAL DISTRICT-562 130.

...COMPLAINANT

(BY SRI. MANJUNATHA PRASAD H.R., ADVOCATE FOR
SRI. SRINIVAS A.R., ADVOCATE)

AND:

SRI. BHOMMAIAH
S/O SRI.HENJARAIYYA,
MAJOR,
RESIDING AT DODDERI,
THAVAREKERE HOBLI,
CHIKKANAHALLI,
BANGALORE RURAL DISTRICT-562 130.

...ACCUSED

(BY MS.N.ROOPA, ADVOCATE FOR
SRI.N.SRIDHAR, ADVOCATE)

THIS CIVIL CONTEMPT PETITION IS FILED UNDER SECTIONS
11 AND 12 OF THE CONTEMPT OF COURTS ACT, 1971, R/W ARTICLE
215 OF THE CONSTITUTION OF INDIA BY THE COMPLAINANT
PRAYING TO INITIATE CONTEMPT PROCEEDINGS AGAINST THE
ACCUSED FOR WILLFULLY DISOBEYING THE INTERIM ORDER DATED

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



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28.08.2024 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT IN W.P.NO.22729/2024(GM-CPC) AS PER ANNEXURE-A.

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

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL ORDER

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

Learned AGA has filed an affidavit today in Court, the deponent of which is Ashwini G, Tahsildar, Bengaluru South Taluk, Bengaluru Urban District, Bengaluru, which is taken on record.

2. The contempt petition is filed against the accused alleging willful disobedience of the interim order passed by this Court on 28.08.2024 in Writ Petition No.22729/2024. By the order of 28.08.2024, an ad-interim direction was issued to the respondent therein not to put up any construction in the suit schedule property till the next date of hearing.

3. Annexure-A to the contempt petition is Form IIIA issued by this Court wherein the suit schedule 'A' property and



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suit schedule 'B' property are mentioned. Both the suit schedule properties are situated in Survey No.110/2 of Dodderi Village, Thavarekere Hobli, Bengaluru South Taluk. An objection was filed by the accused on 27.09.2025 in which, *inter alia* it was stated that the Tahsildar, Bengaluru South Taluk had conducted the survey, mahazar and prepared the sketch and report which clearly disclosed that the accused had not encroached the land bearing Survey No.110/2 of Dodderi village. The constructing house of the accused under the Dodderi Grama Tana property No.17/13, Form Nos.9 and 11 are standing in the name of Sri.Henjaraiah S/o. Sri. Bommaiah. It was further stated that accused was in lawful possession and enjoyment of the said property.

4. This Court on 06.03.2026 noted that the report of the Tahsildar did not clearly reflect whether the house property was being constructed on land falling in Survey No.110/2. The complainant's contention was noted that despite the interim order dated 28.08.2024, the accused had raised construction on suit Schedule 'B' property. The Tahsildar was requested to submit a clear report indicating whether any construction had



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been carried out on the property noted therein. Today, the learned AGA has submitted the aforesaid affidavit of Ashwini G, the Tahsildar, paragraph Nos.6, 7 and 8 of which are as follows:

"6. I state that based on the said report dated 27.5.2026, the Deputy Tahsildar has addressed a letter dated 29.5.2026 to the Tahsildar, Bengaluru South Taluk, stating that Nagaraju @ Bommaiah has completed construction of the house and he is residing in the said house. Further, it is also found that the said constructed house does not fall within Sy.No.110/2, but the said house has been constructed on Gramthana property No.17/13 and the same has been confirmed by the Panchayat Development Officer vide letter dated 08.05.2026. The said letter is produced herewith along with translation as DOCUMENT No.2.

7. I state that the constructed house does not come under Sy.No.110/2 of Dodderi village. Copy of the said letter dated 29.5.2026 is produced herewith as DOCUMENT No.3 for kind perusal of this Hon'ble Court.

8. I also state that I have prepared a clear Report with reference to the above mentioned directions of this Hon'ble Court and it is produced herewith along with English Translation as DOCUMENT No.4 for kind perusal of this Hon'ble Court."



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5. It has been clearly stated therein that the constructed house does not come under Survey No.110/2 of Dodderi Village. The learned counsel for the complainant has no answer to the aforesaid affidavit filed today. Evidently, there is no contempt made out. The contempt case is consigned.

Sd/-
(JAYANT BANERJI)
JUDGE

Sd/-
(T.M.NADAF)
JUDGE

KG
List No.: 1 Sl No.: 4