



CNR: KAHC010365432021

NC: 2026:KHC:50129-DB
WP No. 18892 of 2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 15TH DAY OF SEPTEMBER, 2026
PRESENT
THE HON'BLE MR. JUSTICE S.G.PANDIT
AND
THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA
WRIT PETITION NO. 18892 OF 2021 (S-KSAT)

BETWEEN:

SRI K S VIJAYAKUMAR
S/O K K SANJEEVAMURTHY
AGED ABOUT 45 YEARS,
SURVEYOR DEPARTMENT
OF SURVEY SETTLEMENT AND
LAND RECORDS (NOW UNDER
DISMISSAL OF SERVICE)
R/AT DODAPETE KORTAGERE TALUK
DIST: TUMAKUR.

...PETITIONER

(BY SRI. SUBRAHMANYA BHAT M., ADV.)

AND:

Digitally signed by
NANJUNDACHARI
Location: High
Court of
Karnataka

1. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPLE SECRETARY,
REVENUE DEPARTMENT,
M S BUILDING,
AMBEDKAR VEEDI
BENGALURU-560001.
2. THE KARNATAKA LOKAYUKTA
REP. BY ITS REGISTRAR,
M S BUILDING,
AMBEDKAR VEEDHI
BENGALURU-560001.

...RESPONDENTS

(BY SRI. VIKAS ROJIPURA, AGA FOR R1
SRI K PRASANNA SHETTY, ADV. FOR R2)



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THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO CALL FOR RECORDS; QUASH THE IMPUGNED ORDER DATED 16.12.2020 IN APPLICATION NO.1345/2018 PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL VIDE ANNEXURE-A; QUASH THE IMPUGNED ORDER DATED 26.12.2017 BEARING NO. KAME,115 BOODHA SE (3) 2016 VIDE ANNEXURE A-13 AND ETC.

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

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
AND
HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

(PER: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA)

Heard Sri.Subramanya Bhat, learned counsel for the petitioner as well as Sri.Vikas Rojipura, learned AGA for Respondent No.1 and Sri.K.Prasanna Shetty, learned counsel for respondent No.2.

2. Seeking the Court to quash the order that is passed by the Karnataka State Administrative Tribunal at Bengaluru (for short "Tribunal") in Application No.1345/2018 dated 16.12.2020 through a writ of certiorari, the petitioner is before this Court.



3. On the allegation that the petitioner is guilty of misconduct, the Disciplinary Authority passed orders bearing No.ಕಂಇ 115 ಭೂದಾಸೇ (3) 2016, ಬೆಂಗಳೂರು dated 26.12.2017 imposing punishment of dismissal from service. Aggrieved by the same, petitioner approached the Tribunal by filing an application which came to be numbered as Application No.1345/2018.

4. Hearing both sides, Tribunal dismissed the application. Aggrieved by the same, this writ petition is filed.

5. The allegation that is leveled against the petitioner as borne by record is that the petitioner was working as Surveyor in the Department Survey Settlement and Land Records and while he was officiating his duty at Taluk Office, Nagamangala, a complaint was given against him to the office of Lokayukta on 20.07.2010 by one Sri.S.R.Manjunatha Gowda alleging that he filed an application at Taluk Office for supply of copies of R.R. and



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Pakka Book in respect of the land bearing Sy.No.80/3A, 49/1, 49/3, 49/7, 26/3, 27/1, 30/6, 32/1, 44/2 of D.Shettyhalli village. The petitioner demanded Rs.500/- for supply of those copies. Basing on the said complaint, a trap was laid. The trap remained successful and the petitioner was caught red-handed while he was receiving illegal gratification of Rs.500/- from the complainant and a criminal case was registered against the petitioner. Parallely, a departmental enquiry was held. An Enquiry Officer was appointed. Articles of Charge dated 27.12.2012 was issued. Petitioner submitted his explanation denying the charge. Enquiry was conducted and thereafter a report was submitted that the charge was proved. On that, second show-cause notice was issued. The petitioner submitted his reply to the second show-cause notice. Finally, orders were passed, imposing penalty of dismissal from service through the Government Order dated 26.12.2017.



6. Learned counsel for the petitioner submits that the charge levelled against the petitioner was not proved even in the proceedings that went on against the petitioner through registration of criminal case. During the course of trial, the complainant who was examined by the Prosecuting Agency as P.W.1 turned hostile. That apart, Rs.252/- was required to be paid towards copies of revenue records. The complainant paid only Rs.200/-. When the petitioner directed the complainant to pay the balance amount of Rs.52/-, the complainant gave a note of Rs.500/- and while the petitioner was about to give change, he was caught on the ground that he has taken illegal gratification. Learned counsel further submits that the punishment imposed is disproportionate to the gravity of misconduct and thus, the punishment is required to be reduced. Learned counsel also contends that for a paltry sum of Rs.500/-, dismissal from service is not proper and therefore, at least penalty is required to be reduced.



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Hence, learned counsel thereby seeks to allow the writ petition.

7. Per contra, learned Government Advocate states that as the charge leveled against the petitioner was proved through enquiry conducted and enquiry conducted is as per the norms and Rules laid down, the writ petition is not maintainable.

8. We have gone through the entire material brought on record, including the contents of the order of dismissal as well as the impugned order passed by the Tribunal.

9. The Tribunal discussed at length with regard to the merits of the matter and came to a conclusion that there are no grounds to consider the request made by the petitioner herein for setting aside the order by which, he was dismissed from service. The misconduct cannot be measured by quantity of amount which was received by a Government servant towards illegal gratification. The bribery, whatever may be the sum is an offence against



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the Society at large. Having gone through the contents of the enquiry report, penalty issued by the Disciplinary Authority as well as the impugned order where the Tribunal discussed at length with regard to the merits of the case and also law laid down, we are of the considered view that, no grounds are made out to interfere with the observations made by the Tribunal regarding merits of the matter or to modify the punishment imposed.

10. The punishment imposed is highly proportionate to the gravity of misconduct. Therefore, we ultimately hold that there are no merits in the writ petition. Accordingly, the writ petition is ***dismissed***.

**Sd/-
(S.G.PANDIT)
JUDGE**

**Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE**

MPK
CT:bms