



CNR: KAHC010383262024

NC: 2026:KHC:53338
WP No. 18149 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE B.PRAMOD

WRIT PETITION NO.18149 OF 2024 (GM-POLICE)

BETWEEN:

DR. GANESH
S/O. B. SHANKAR RAO
AGED ABOUT 58 YEARS
R/AT NO.165, S.I.R.I.
10TH CROSS, 3RD MAIN
R.M.V. II STAGE
BENGALURU-560 094

...PETITIONER

(BY SRI M. S. CHANDRASHEKAR BABU, ADVOCATE)

AND:

1. THE COMMISSIONER OF POLICE
INFANTRY ROAD
BENGALURU-560 001
2. THE SUB-INSPECTOR OF POLICE
SANJAY NAGAR POLICE STATION
BENGALURU-560 094
3. SRI SHANKARANANDA H. R.
S/O. RAMAIAH
AGED ABOUT 63 YEARS
R/AT NO.18, 8TH MAIN
N.H.C.S. LAYOUT, VIJAYANAGAR
BENGALURU-560 040

...RESPONDENTS

(BY SRI MANJUNATHA RAYAPPA, A.G.A., FOR R-1 AND R-2,
R-3 IS SERVED AND UNREPRESENTED)

Digitally signed
by
SHARADAVANI
B
Location: HIGH
COURT OF
KARNATAKA





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THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT NOS.1 AND 2 TO TAKE IMMEDIATE ACTION AGAINST THE RESPONDENT NO.3 AND THEIR MEN AND CONSEQUENTLY DIRECT THE RESPONDENT NOS.1 AND 2 TO GIVE PROTECTION TO THE PETITIONER AND THEIR FAMILY.

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

CORAM: HON'BLE MR. JUSTICE B.PRAMOD

ORAL ORDER

The petitioner, in the present writ petition, has sought for a writ of mandamus directing respondent Nos.1 and 2 to take immediate action against respondent No.3 and his men and, consequently, to provide necessary protection to the petitioner and his family.

2. It is the case of the petitioner that he had availed a loan from the third respondent and had subsequently repaid the same. It is further stated that the petitioner, his father and other family members had



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executed a Sale Deed in favour of the third respondent for a sale consideration of Rs.60,00,000/- (Rupees Sixty Lakh only). It is the further case of the petitioner that the third respondent had executed an agreement in favour of the petitioner stating that there were no monetary dues payable by the petitioner. On an earlier occasion, the petitioner had lodged a complaint before the Sanjaya Nagar Police Station against respondent No.3 alleging harassment. The second respondent had also called upon the third respondent to appear and respond to the complaint lodged by the petitioner. Thereafter, the police had issued an endorsement dated 08.02.2024. Thereafter, on 25.02.2024, the petitioner lodged another complaint against respondent No.3 before the Sanjaya Nagar Police Station.

3. Learned counsel for the petitioner submits that the brothers of the petitioner had executed a Sale Deed in favour of respondent No.3. It is further submitted that, subsequent thereto, respondent No.3 executed an



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agreement acknowledging that no monetary amount was due from the petitioner. Under the said agreement, respondent No.3 also agreed to pay a sum of Rs.15,00,000/- (Rupees Fifteen Lakh only) to the brothers of the petitioner by way of two cheques of Rs.7,50,000/- each.

4. Despite the same, respondent No.3 continued to harass the petitioner and his family members, compelling the petitioner to lodge three complaints before respondent No.2. It is the case of the petitioner that the said complaints were not considered and no action was taken thereon. Hence, the petitioner approached this Court by way of the present writ petition. By an interim order dated 11.07.2024, this Court directed respondent Nos.1 and 2 to take necessary steps pursuant to the complaints lodged by the petitioner on 08.03.2023 and 25.02.2024.

5. It is not disputed by the learned counsel for the petitioner that after the aforementioned interim order, the respondent Nos. 1 and 2 have taken steps.



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6. The present writ petition, as framed and the relief of mandamus sought, cannot be entertained in the present facts and circumstances. It is settled law that the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India cannot be invoked for adjudication or enforcement of disputed civil rights, nor can a direction for police protection be sought as a substitute for recourse to the remedies available before the competent forum. Though this Court may, in an appropriate case, issue necessary directions where a genuine threat to life, liberty or law and order is demonstrated, such jurisdiction cannot be invoked merely to secure enforcement of a disputed civil claim. In the present case, the dispute between the petitioner and respondent No.3 arises out of monetary transactions and the Sale Deed and agreement executed between the parties and is, therefore, essentially civil in nature. The petitioner is at liberty to work out his remedies before the appropriate forum, in accordance with law.



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With the aforesaid liberty reserved to the petitioner,
the present writ petition stands disposed of.

**Sd/-
(B.PRAMOD)
JUDGE**

BSV
List No.: 1 Sl No.: 10