



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 20652 OF 2026 (LB-RES)

BETWEEN:

1. SRI S A MALIK
S/O LATE S A KADIR
AGED ABOUT 71 YEARS
RESIDING AT KARANJI EXTENSION
COURT ROAD,
MALUR TOWN 563310.
2. SRI A RAMAKRISHNA REDDY
S/O APPANNA REDDY
AGED ABOUT 60 YEARS
RESIDING AT NO.13
PUNYADHAMA COMPOUND,
THINDLU KODIGEHALI
MAIN ROAD
NEAR TENNIS VILLAGE
KODIGEHALI,
BANGALORE 560097.

...PETITIONERS

(BY SRI. SUDHAKAR G V.,ADVOCATE)

AND:

1. THE EXECUTIVE OFFICER
AND APPELLATE AUTHORITY
HAVING OFFICE AT
TALUK PANCHAYATH

Digitally
signed by
VANAMALA
N
Location:
HIGH
COURT OF
KARNATAKA



ANEKAL TALUK,
BENGALURU RURAL
DISTRICT 562106.

2. PANCHAYATH DEVELOPMENT
OFFICER, KALLUBALU GRAM
PANCHAYATH
JIGANI HOBLI
ANEKAL TALUK
BENGALURU DISTRICT 560066.
3. INDIRA RAMAPRAKASH
AGED ABOUT 81 YEARS
W/O SRI H N RAM PRAKASH
RESIDING AT NO.264,
17TH CROSS JANATHA BAZAR
SADASHIVANAGAR,
BENGALURU 560080.
4. SRI K VINOD KUMAR
AGED ABOUT 54 YEARS
S/O M KRISHNAPPA
RESIDING AT NO. 9
13TH CROSS JAGRUTHI COLONY
J P NAGAR NEAR PUTTENHALLI
BENGALURU 560078.
5. SRI H M HARISH
S/O H N MUNISWAMY
AGED ABOUT 55 YEARS
RESIDING AT NO.418,
4TH MAIN 5TH CROSS,
3RD PHASE J P NAGAR
BANGALORE 560078.



6. SRI T S NAGARAJ
S/O T K SUBBARAO
AGED MAJOR
RESIDING AT NO.2079
EAST END A MAIN ROAD
9TH BLOCK JAYANAGAR
BANGALORE 560041.

...RESPONDENTS

(BY MS MANASA., ADVOCATE FOR
SRI. M.S. PRAKASH., ADVOCATE FOR R1)

THIS W.P. IS FILED UNDER ARTICLES 226 AND
227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE PROCEEDINGS INITIATED BY THE R-1 IN
V.P.C APPEAL NO. 15/2025-26 WHICH IS AT ANNEX-R
INSOFAR IS CONCERNED TO THE PETITIONERS AS
ILLEGAL.

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

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD



ORAL ORDER

The petitioners, who are the second and third respondents in an Appeal in VPC No.15/2025-26 under Section 269 of the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 [for short, '*the Act*'] pending with the first respondent, have sought for quashing of such appeal. Sri Sudhakar G V, the learned counsel for the petitioners, argues in support of this request, asserting:

[a] that there are complicated questions of title and possession because of a dispute raised by the fourth respondent who, without instituting a proper suit, has filed the present appeal calling in question the revenue entries in favour of the petitioners;

[b] that the Panchayath Development Officer is prejudiced against the petitioners because such Officer is acting in cohorts with the fourth respondent and because the Officer is acting in cohorts, a Report is filed in the pending appeal



proceedings even without the first respondent calling for such Report;

[c] that the fourth respondent had prevailed upon the concerned for disruption of electricity to the petitioners' property under a ruse and the petitioners could get their electricity connection restored only upon this Court's intervention after four months of such disruption;

[d] that consequent to the first respondent's orders, there would be immediate action to the petitioners' prejudice.

Sri Sudhakar G V also submits, relying upon the Orders of this Court on 03.07.2024 in the writ petition in W.P. No.10118/2024, that the very filing of the appeal is bad in law. Ms. Manasa, a colleague of Sri M S Prakash accepts notice for the first respondent, and the learned counsel is heard for the disposal of the petition.



This Court must observe that the first respondent should consider not only the afore but also every other ground that the petitioners [*as second and third respondents*] would offer in opposition to the appeal and pass orders that would meet the eyes of the law. The first respondent, an Authority entrusted with the appellate jurisdiction under the Statute, is enjoined with the responsibilities to so act and if there is an occasion to opine, despite this Court's observation that the Officer is not just and reasonable in discharging the statutory responsibility, the Officer undoubtedly will know of the consequences that would be.

As such, this Court is not inclined to truncate the pending proceedings and this Court is persuaded only to dispose of the petition with the observation that the first respondent shall consider every circumstance, including whether jurisdiction could be exercised if there are complicated questions or



facts involved which must be decided by the civil Court by a reasoned order. The petition stands disposed of accordingly.

The petitioner is reserved with liberty to file a certified copy of this Order with the first respondent. This Court, in the peculiar circumstances canvassed is persuaded to opine that the Authorities shall not act on the final decision whichever way it is for a period of four [4] weeks from the date of such order.

Sd/-
(B M SHYAM PRASAD)
JUDGE

AN/-