



CNR: KAHC010479242026

NC: 2026:KHC:37320
WP No. 21721 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 21721 OF 2026 (GM-POLICE)

BETWEEN:

SRI. SWAMY.D @ NINGARAJU
S/O DEVARAJU T.K
AGED ABOUT 30 YEARS,
R/AT TOPPANAHALLI VILLAGE,
MADDURU TALUK
AT PRESENT IN SANDUR
BELLARY DISTRICT - 583 101.

...PETITIONER

(BY SRI. HAREESH BHANDARY T, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
VIDHANA SOUDHA,
DEPARTMENT OF HOMES,
BENGALURU - 560 001.
2. THE DEPUTY SUPERINTENDENT OF POLICE
MALAVALLI SUB-DIVISION
MALAVALLI - 571 430.
3. THE SUB-INSPECTOR OF POLICE
MADDURU POLICE STATION
MADDURU - 571 428.

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



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4. THE ASSISTANT COMMISSIONER
MANDYA SUB-DIVISION
MANDYA - 571 401.

...RESPONDENTS

(BY SMT. SARITHA KULKARNI, AGA FOR R1 TO R4)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT, WRIT IN THE NATURE OF CERTIORARI BY QUASHING THE ORDER ANNEXURE 'A' MADE IN M.A.G.02/2026-27 DATED 29.06.2026 ISSUED BY THE 4TH RESPONDENT/ ASSISTANT COMMISSIONER AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Learned Additional Government Advocate accepts notice for respondent Nos.1 to 4.
2. Petitioner is before this Court seeking for the following reliefs:
 - a. *Issue a writ, writ in the nature of Certiorari by quashing the order Annexure 'A' made in M.A.G.02/2026-27 dated 29.06.2026 issued by the 4th respondent/ Assistant Commissioner.*
 - b. *Grant such other relief or relief's as this Hon'ble Court may deem fit under the facts and circumstances of the case.*
3. The petitioner is before this Court challenging an order passed under Section 55 of the Karnataka Police Act, 1963, (for short, "KPS Act") on the ground



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that the petitioner had not been provided an opportunity of submitting his say nor has the petitioner been heard in the matter.

4. A perusal of the order sheet indicates that a show cause notice had been issued directing the petitioner to appear before respondent No.4/Assistant Commissioner on 26.05.2026. The petitioner appeared and filed vakalathnama and sought time to file objections when the matter was adjourned to 04.06.2026. On 04.06.2026, there was no sitting of respondent No.4 since he was engaged in other official activities. Hence, the matter had been adjourned to 11.06.2026, noting that there was no representation on the part of the respondent therein, i.e., the petitioner herein; the matter was posted for orders, and orders were passed on 29.06.2026.
5. It is not clear as to whether, when the matter was adjourned from 04.06.2026 to 11.06.2026, there was any appearance on the part of the petitioner or whether this order had been uploaded onto the website and/or an intimation had been issued to the petitioner since the submission of Sri. Hareesh Bhandary T., learned counsel for the petitioner, is



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that the petitioner was not aware of the next adjourned date.

6. In that view of the matter, this Court is of the considered opinion that the principles of natural justice have not been complied with. As such, this Court passes the following:

ORDER

- i) Writ petition is ***allowed***.
- ii) A certiorari is issued, the order at Annexure-A in M.A.G.02/2026-27 passed by respondent No.4 at 29.06.2026 is set aside.
- iii) The matter is remitted to respondent No.4 for fresh consideration.
- iv) The petitioner shall appear before respondent No.4 without requirement of any further notice on **31.07.2026** and submit his objections.
- v) Respondent No.4 is directed to provide an opportunity of hearing to the petitioner and pass necessary orders in accordance with law.
- vi) Considering that there is an allegation as regards the orders of the Assistant Commissioner not being communicated, this



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Court is of the considered opinion that general direction would also have to be issued in this regard. Hence, the assistance of the Principal Secretary, E-Governance Department are directed to implement a necessary system in a similar manner as the Revenue Court Case Management System for the purpose of uploading of any orders passed under the Police Act by the jurisdictional Executive Magistrate so that those orders are available for viewing by the parties to the said proceedings.

- vii) They are also directed to institute a proper system for communicating the daily orders, which are passed through WhatsApp integration and/or by email as done for revenue cases.
- viii) Though the above petition is ***disposed***, re-list on **24.08.2026** for reporting compliance.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

GJM
List No.: 1 Sl No.: 29