



CNR: KAHC010585232026

NC: 2026:KHC:47996  
WP No. 26672 of 2026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 3<sup>RD</sup> DAY OF SEPTEMBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ**

**WRIT PETITION NO. 26672 OF 2026 (GM-POLICE)**

**BETWEEN:**

SMT. RATHNAMMA  
W/O. SRI N.C. CHANNABASAPPA,  
AGED ABOUT 72 YEARS,  
R/O. NERALAKERE VILLAGE, AMRUTHAPURA HOBLI,  
TARIKERE TALUK, CHIKKAMAGALURU DISTRICT - 577101.  
REPRESENTED BY HER  
GENERAL POWER OF ATTORNEY HOLDER,  
SRI N.C. CHANNABASAPPA,  
S/O. LATE SRI CHIKKANNA,  
AGED ABOUT 82 YEARS,  
R/O. NERALAKERE VILLAGE, AMRUTHAPURA HOBLI,  
TARIKERE TALUK,  
CHIKKAMAGALURU DISTRICT - 577101.

...PETITIONER

(BY SRI. ADIT CHANDANGOUDAR., ADVOCATE)

**AND:**

1. THE STATE OF KARNATAKA  
REPRESENTED BY ITS PRINCIPAL SECRETARY,  
DEPARTMENT OF HOME,  
VIDHANA SOUDHA,  
DR. B.R. AMBEDKAR VEEDHI,  
BENGALURU 560 001.
2. THE SUPERINTENDENT OF POLICE,  
CHIKKAMAGALURU DISTRICT,  
CHIKKAMAGALURU - 577 101.
3. THE DEPUTY SUPERINTENDENT OF POLICE,  
TARIKERE SUB-DIVISION,

Digitally signed  
by SHWETHA  
RAGHAVENDRA  
Location: HIGH  
COURT OF  
KARNATAKA



NC: 2026:KHC:47996  
WP No. 26672 of 2026

CNR: KAHC010585232026

TARIKERE,  
CHIKKAMAGALURU DISTRICT- 577 101.

4. THE CIRCLE POLICE INSPECTOR,  
TARIKERE CIRCLE, TARIKERE,  
CHIKKAMAGALURU DISTRICT 577 101.
5. THE STATION HOUSE OFFICER,  
TARIKERE POLICE STATION,  
TARIKERE TALUK,  
CHIKKAMAGALURU DISTRICT.

...RESPONDENTS

(BY SRI. PANINI. A.H., AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION DIRECTING RESPONDENT NOS.2 TO 5 TO PROVIDE EFFECTIVE AND ADEQUATE POLICE PROTECTION TO THE PETITIONER FOR PROTECTING HER PEACEFUL POSSESSION AND ENJOYMENT OF THE PROPERTY BEARING SY. NO.236/1B SITUATED AT NERALAKERE VILLAGE, AMRUTHAPURA HOBLI, TARIKERE TALUK, CHIKKAMAGALURU DISTRICT, MEASURING 2 ACRES 09 GUNTAS TOGETHER WITH THE WELL AND PUMPHOUSE SITUATED THEREIN, AND FOR ENSURING THAT THE DECREE DATED 21.02.1980 PASSED IN O.S. NO.180/1975 ANNEXURE-B IS NOT DEFEATED BY UNLAWFUL INTERFERENCE AND ETC.

THIS WRIT 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 AGA accepts notice for respondents No.1 to 5.
2. The petitioner is before this Court seeking for the following reliefs:
  - a. *Issue a writ of mandamus or any other appropriate writ, order or direction directing respondent Nos.2*



**CNR: KAHC010585232026**

*to 5 to provide effective and adequate police protection to the petitioner for protecting her peaceful possession and enjoyment of the property bearing Sy. No.236/1B situated at Neralakere Village, Amruthapura Hobli, Tarikere Taluk, Chikkamagaluru District, measuring 2 acres 09 guntas together with the well and pumphouse situated therein, and for ensuring that the decree dated 21.02.1980 passed in O.S. No.180/1975 Annexure- B is not defeated by unlawful interference;*

- b. Issue a writ of mandamus or any other appropriate writ, order or direction directing respondent Nos.2 to 5 to consider and act upon the representations dated 07.07.2026 submitted by the petitioner at Annexures E2 TO E5, and to take appropriate preventive measures in accordance with law;*
- c. Issue a writ of Mandamus directing respondent Nos.2 to 5 to ensure maintenance of law and order and prevent judgement debtors, their men, agents or persons claiming through them from taking the law into their own hands or unlawfully interfering with the petitioner's possession, without directing the police to adjudicate any disputed question of civil title;*
- d. Grant such other and further relief as this Hon'ble Court may deem fit in the facts and circumstances of the case, in the interest of justice and equity.*

- 3. Claiming that a suit for permanent injunction in OS No.180 of 1975 had been decreed on 21.02.1980, despite which decree was drawn on 31.03.186, the respondents who are the children of the defendant in that suit are interfering with the possession of the petitioner who is the Legal heir of



CNR: KAHC010585232026

the petitioner or the plaintiff in that suit. The petitioner had approached the jurisdictional police for grant of police protection, which has been rejected on the ground that it is a civil dispute and police cannot interfere.

4. Neither the petitioner nor the person against whom the complaint was filed was a party to O.S. No.180 of 1975. The parties presently before this Court are persons claiming through the original plaintiff and the original defendant in the said suit.
5. In that view of the matter, the decree passed on 21.02.1980 cannot result in the police providing police protection without any specific order by a Court directing police protection.
6. In that view of the matter, reserving liberty to the petitioner to file appropriate civil proceedings seeking for such protection as may be available, the petition stands ***disposed***.

**Sd/-**  
**(SURAJ GOVINDARAJ)**  
**JUDGE**

SR  
List No.: 1 Sl No.: 11