



CNR: KAHC010594282025

NC: 2026:KHC:36707-DB
CCC No. 1174 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

CIVIL CONTEMPT PETITION NO. 1174 OF 2025

BETWEEN:

1. SUBHAN KHAN
AGED ABOUT 70 YEARS
S/O LATE MASOOM KHAN
RESIDING AT NO. 104
2ND CROSS, BANNIMANTAP 'C' LAYOUT
MYSURU - 570 005
REP. BY SPA HOLDER
SYED SHAHAB A.R.
S/O LATE SYED ABDUL REHMAN
AGED ABOUT 41 YEARS
RESIDING AT NO. 3006
SAJJAD STREET
MANDI MOHALLA
MYSURU - 570 005

...COMPLAINANT

(BY SRI PRAVEEN M.T., ADVOCATE [ABSENT])

AND:

1. MR. SHAIKH TANVEER ASIF
CHIEF COMMISSIONER
MYSURU MAHANAGARA PALIKE, (MCC)

Digitally
signed by K
P SWENHA
Location:
High Court
of Karnataka



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ZONE OFFICE-7, LASHKAR MOHALLA
MYSORE MUNICIPAL CORPORATION
MYSORE - 570 008

2. MR. SHIV KUMAR
ASSISTANT COMMISSIONER
ZONE OFFICE-7
LASHKAR MOHALLA
MYSORE MUNICIPAL CORPORATION
MYSORE - 570 008

...ACCUSED

(BY SRI BASAVARAJ, ADVOCATE FOR
SMT. GEETHA DEVI M.P., ADVOCATE FOR ACCUSED No.1,
ACCUSED No.2 IS SERVED & UNREPRESENTED)

THIS CCC IS FILED UNDER SECTIONS 11 AND 12 OF THE
CONTEMPT OF COURTS ACT, 1971 READ WITH RULE 3 OF THE
HIGH COURT OF KARNATAKA CONTEMPT OF COURT
PROCEEDINGS RULES, 1981 PRAYING TO INITIATE CONTEMPT
PROCEEDINGS AGAINST THE ACCUSED FOR BLATANT AND
WILFUL DISOBEDIENCE OF THE ORDER DATED 27.05.2025
PASSED BY THIS HON'BLE COURT IN W.P. NO.12976/2025
PRODUCED AT ANNEXURE-A.

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



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CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. None appears for the complainant.
2. The complainant has filed the present complaint alleging willful disobedience of the order dated 27.05.2025 passed by the learned Single Judge of this court in W.P.No.12976/2025 (LB-RES).
3. The complainant alleged in the writ petition that one Mr.B.Samiulla Khan has raised construction in violation of the building bye-laws. He, therefore, sought direction to the concerned authorities to take immediate action and to stop further illegal construction. The said contention was disputed by Mr.B.Samiulla Khan, who was arrayed as respondent No.4 in the writ petition.
4. The learned Single Judge disposed of the writ petition by directing the concerned authority to take decision whether Mr.B.Samiulla Khan had constructed any building or was raising any construction, contrary to building bye-laws.



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5. Accused No.1 has filed the compliance report stating that officials of the Mysuru City Corporation had inspected the scheduled premises and has noted certain building violations. Thereafter, accused No.1 issued a provisional order dated 09.10.2025 under Section 321(1) of the Karnataka Municipal Corporation Act, 1976. Mr.B.Samiulla Khan has challenged the said order in W.P.No.32786/2025 and this court has directed the authorities not to take any precipitate action against Mr.B.Samiulla Khan.

6. In view of the above, we are unable to accept that any proceedings filed under the Contempt of Courts Act, 1971 are required to be initiated against the accused. The complaint is accordingly closed.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(K.S. HEMALEKHA)
JUDGE**