HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO.7147 OF 2023 (GM-POLICE)

BETWEEN:

1. SRI. S. C. ATHEETH
AGED ABOUT 36 YEARS,
S/O. LATE S. M. CHANDRAIAH,
RESIDING AT IHA, 594,
15TH CROSS, 1ST 'A' MAIN ROAD,
IAS COLONY, HSR LAYOUT,
6TH SECTOR,
BENGALURU-560 102.

2. SMT. B. M. NISCHITHA
WIFE OF SRI. S. C. ATHEETH,
AGED ABOUT 30 YEARS,
RESIDING AT IHA, 594,
15TH CROSS, 1ST 'A' MAIN ROAD,
IAS COLONY, HSR LAYOUT,
6TH SECTOR,
BENGALURU-560 102.

Digitally signed by CHAYA S A
Location: HIGH COURT OF KARNATAKA

...PETITIONERS

(BY SRI. SAMMITH S., ADVOCATE)

AND:

1. THE INSPECTOR OF POLICE
PARAPPANA AGRAHARA POLICE STATION,
BENGALURU-560 100.

2. THE TAHSILDAR (ANEKAL TALUK)
VINAYAKA NAGARA,
ANEKAL,
BENGALURU-562 106.

3. THE KARNATAKA STATE RESERVE POLICE
REPRESENTED BY ITS COMMONDANT
IX BATTALION,
KARNATAKA STATE RESERVE POLICE CAMP,
HOSA ROAD,
BENGALURU-560 100.

…RESPONDENTS

(BY SRI. MAHANTESH SHETTAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT NO.1 TO RESTRAIN HIMSELF AND HIS SUBORDINATE AUTHORITIES FROM INTERFERING WITH THE PETITIONER PEACEFUL POSSESSION AND ENJOYMENT OF THE SCHEDULE PROPERTY IN ACCORDANCE WITH THE CIRCULAR BEARING NO. CRM-3/105/2018 DATED 14.11.2018 AS CONTAINED IN ANNX-Y; AND ETC.

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

1. In this writ petition, petitioners are seeking a writ of mandamus against respondent No.1 to restrain himself and his subordinate officers from interfering with the peaceful enjoyment and possession of the schedule property by the petitioners.

2. Heard learned counsel appearing for the parties.

3. Having taken note of the submissions made by the learned counsel appearing for the parties, the respondent No.2 as per Annexure-V dated 13.09.2022, has sought for explanation from the petitioner No.1 as to why action should not be taken as per S.192-A / 104 of the Karnataka Land Revenue Act, 1964, for which the petitioner has filed reply dated 21.12.2022 as per Annexure-W to the writ petition.

4. In the meanwhile, it is the grievance of the petitioners that the respondent - police are interfering with the schedule

property and thereby issued a police notice dated 07.02.2023 (Annexure-X).

5. In that view of the matter, since the reply made by the petitioner at Annexure-W has not yet been considered by the respondent No.2, and as such, the respondent No.2 is directed to consider the reply of the petitioner dated 21.12.2022 as per Annexure-W, in accordance with law, within four months from the date of receipt of certified copy of this order.

6. It is made clear that till the consideration of the reply of the petitioner as stated above by the respondent No.2, none of the respondents shall take any coercive steps against the petitioners.

7. Accordingly, the writ petition is disposed of.

SD/-
(E.S.INDIRESH)
JUDGE

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List No.: 1 Sl No.: 27