HC-KAR

NC: 2026:KHC:59774
WP No. 15083 of 2026

CNR: KAHC010334892026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 15083 OF 2026 (S-RES)

BETWEEN:

1. SMT INDUMATHI C R
AGED 47 YEARS,
D/O LATE C.M. RAMANNA,
FIRST DIVISION ASSISTANT,
O/O PRINCIPAL CIVIL JUDGE AND JMFC COURT,
ARKALGUD - 573 102,
HASSAN DISTRICT.

2. SRI. PRASAD B.K,
AGED 61 YEARS,
S/O LATE B.C.K. PRASAD,
RETIRED BAILIFF, R/O D.NO. 32,
CHENNAPURA ROAD, FORT,
CHIKKAMAGALURU-
CHIKKAMAGALURU DISTRICT - 577 101.

...PETITIONERS

(BY SRI. KRISHNAPPA M., ADVOCATE)

AND:

THE DISCIPLINARY AUTHORITY AND
AND PRINCIPAL DISTRICT SESSIONS JUDGE,
HASSAN, HASSAN DISTRICT - 573 201.

...RESPONDENT

(BY SRI. SUBRAMANI M.A., ADVOCATE)

Digitally signed by PRAKASH N
Location: HIGH COURT OF KARNATAKA

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO-DIRECT, QUASHING THE IMPUGNED ORDER DATED 28-4-2026 BEARING NO. D.E. NO. 11/2026 PASSED BY THE RESPONDENT AS AT ANNEXURE-E, IN SO FAR AS IT RELATES TO PETITIONERS.

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

CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

The first petitioner, who is working as a First Division Assistant in the office of the Principal Civil Judge, JMFC Court at Arkalgud and the second petitioner is a retired Bailiff, have filed the present petition seeking for issuance of Writ of *Certiorari* to set aside the order dated 28.04.2026 along with the show cause notice at Annexure-E.

2. In effect, the petitioners have assailed the framing of articles of charges and proceeding with the enquiry without taking note of their reply statement. Various contentions have been urged, including that the

alleged behaviour which is found to be objectionable was dance performed outside the court premises and after office hours. Accordingly, it is contended that such behavior cannot be stated to be a misconduct.

3. Learned counsel appearing for the respondent submits that the enquiry could be interdicted only on a jurisdictional point, and the Court ought not to enter into the merits of the charges or evidence available at this stage.

4. After hearing the matter for some time, noticing that the petitioners have approached this court at a premature stage, it may not be appropriate to intervene and interfere with the enquiry proceedings. No doubt, a writ petition by itself would be maintainable even at a premature stage, if it is shown that the proceedings are one without any jurisdiction or there is any jurisdictional error.

5. Any finding that is to be made at this stage may prejudice the enquiry proceedings. It would be appropriate for the petitioners to participate in the enquiry proceedings itself and put forth their defense.

5. Accordingly, without entering into the merits of the matter, and while noticing that there is a reference to a video sent through email, it would not be appropriate to leave the aspect of arriving at a finding, based on appreciation of evidence regarding the nature of conduct, which is best left to be decided in the enquiry proceedings.

6. Accordingly, the petition is ***disposed of*** without entering into the merits of the matter and keeping all contentions open for the petitioners to be raised in the enquiry proceedings.

Sd/-
(S SUNIL DUTT YADAV)
JUDGE

SKS