HC-KAR

NC: 2026:KHC:61431-DB
CCC No. 668 of 2026

CNR: KAHC010393322026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF NOVEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MRS. JUSTICE N.V.BHAVANI

CIVIL CONTEMPT PETITION NO. 668 OF 2026

BETWEEN:

SRI. MUNIKATA
S/O LATE MELLARAPPA,
AGED ABOUT 46 YEARS,
R/AT: MARASANDRA VILLAGE,
(KADATANAMALE DAKALE),
HESARAGHATTA HOBLI,
YELAHANKA TALUK,
BENGALURU - 560 089.

...COMPLAINANT

(BY SRI.VARADARAJA P N., ADVOCATE)

Digitally signed by K G RENUKAMBA
Location: High Court of Karnataka

AND:

1. SRI. SYED KALIMULLAH
TAHSILDAR,
YELAHANKA TALUK,
MINI VIDHANA SOUDHA
YELAHANKA, BENGALURU-560 064.

...ACCUSED NO.1

2. STATE OF KARNATAKA,
REP. BY ITS PRINCIPAL SECRETARY,
REVENUE DEPARTMENT,
M S BUILDING, BENGALURU-560 001.

...PROFORMA RESPONDENT NO.2

(BY SMT.NAMITHA MAHESH B.G., AGA)

CNR: KAHC010393322026

THIS CIVIL CONTEMPT PETITION IS FILED UNDER SECTIONS 11 AND 12 OF THE CONTEMPT OF COURTS ACT, 1971, BY THE COMPLAINANT PRAYING TO INITIATE CONTEMPT PROCEEDINGS UNDER PROVISION OF THE CONTEMPT OF COURTS ACT AGAINST THE ACCUSED FOR HAVING DISOBEYED THE ORDER PASSED BY THIS HON'BLE COURT DATED 19.06.2025 IN W.P.NO.16868/2025 (KLR-RES) AT ANNEXURE-A AND PUNISH THE ACCUSED FOR WILLFULLY AND DELIBERATELY DISOBEYING THE ORDER PASSED BY THIS HON'BLE COURT AND FURTHER ENFORCE THE ORDER PASSED BY THIS HON'BLE COURT.

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

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MRS. JUSTICE N.V.BHAVANI

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Wilful disobedience of the order dated 19.06.2025 in Writ Petition No.16868/2025 is alleged. By means of the order dated 19.06.2025, without expressing any opinion on merits of the case, respondent No.4 therein, Tahsildar was directed to consider the representation of the petitioner, in accordance with law, the representation pertaining to non-issuance of Hakku Patra in petitioner's favour in respect of a land for which he had a registered sale deed executed in his favour on 14.12.2012.

2. The learned AGA has referred to the compliance affidavit filed on 12.10.2026 by Syed Kalimulla, the Tahsildar of Yelahanka Taluk, in paragraph No.5 of which it is stated as follows:

> *"5. I state that pursuant to the said order dated 19.06.2025 passed by this Hon'ble Court in W.P. No. 16868/2025, taking note of the fact that identical representations under Section 94-C of the Karnataka Land Revenue Act, 1964, in respect of Sy. No. 46 of Kadatanamale Village were pending in respect of several similarly situated applicants including the Petitioner/Complainant - a meeting was convened by the Assistant Commissioner, Bengaluru North Sub-Division, on 27.07.2026, to examine and dispose of the said applications, including the case of the Petitioner/Complainant, which was taken up as Case No.03 arising out of W.P. No.16868/2025. During the said meeting, it was observed that the applicant had formed the site by encroaching upon a government canal and a stream. In accordance with the final order of the said case and Government Notification No.RD 161 LGP 2020(E) dated 21-11-2020- issued pursuant to Section 69A of the Karnataka Land Revenue Act, 1964-there is no provision for the regularization of lands comprising water sources, water-flow canals, or streams; therefore, it was decided to reject the application. The proceedings of the said meeting dated 27.07.2026 are produced herewith and marked as Annexure-R2."*

3. The submission of the learned counsel for the complainant is that the ground of rejection of his representation is that the complainant is in occupation of a portion of water body, which is not the case. It is also submitted that before grant of the land, they had completed all procedures and then the land was granted. At this stage, the accused cannot take a different stand from what was taken prior to grant of the land.

4. If that be the case of the complainant, it would be a disputed finding of fact which can best be addressed by a Competent Revenue Court/Civil Court exercising appropriate jurisdiction. Leaving it open for the complainant, if he is so advised, to seek his remedy before the appropriate Court, we consign this petition.

Sd/-
(JAYANT BANERJI)
JUDGE

Sd/-
(N.V.BHAVANI)
JUDGE

KG
List No.: 1 Sl No.: 3