HC-KAR

NC: 2026:KHC:60172
WP No. 24841 of 2026

CNR: KAHC010548392026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 24841 OF 2026 (GM-RES)

BETWEEN:

1. SANDEEP KUMAR,
   S/O RAMAKRISHNA PILLAI,
   AGED ABOUT 57 YEARS,
   R/AT POOJA MEDICALS, PANDESHWARA,
   MANGALORE-575001.

2. PRASHANTH KUMAR,
   S/O RAMAKRISHNA PILLAI,
   AGED ABOUT 54 YEARS,
   AKSHAYA TELLAR ROAD,
   KARKALA TALUK,
   UDUPI DISTRICT-576117.
   (REP BY POWER OF ATTORNEY HOLDER PETITIONER NO.1)

...PETITIONERS

(BY SRI. MAHENDRA G.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
   DEPARTMENT OF REVENUE
   AMBEDKAR VEEDHI,
   BENGALURU-560001.

2. PRESIDENT
   ADMINISTRATIVE TRIBUANL AND
   SUB DIVISION MAGISTRATE
   KUNDAPURA SUB DIVISION
   KUNDAPURA 576201

3. SRI RAMAKRISHNA PILLAI,
   S/O NARAYANA PILLAI,

Digitally Signed By:
SURAJ GOVINDA RAJ
02/11/2026, 13:42, Bengaluru
Verified

AGED ABOUT 82 YEARS,
R/AT AKSHAYA TELLAR ROAD,
KARKALA TALUK,
UDUPI DISTRICT-576117.

4. SMT. K LAKSHMI,
W/O RAMAKRISHNA PILLAI,
AGED ABOUT 84 YEARS,

5. ARATHI ASHOK
D/O RAMAKRISHNA PILLAI
AGED ABOUT MAJOR

6. ASHOK A S NAIR,
S/O SHIVARAMAN NAIR,
AGED ABOUT MAJOR,

RESPONDENT NO. 4-6 ARE R/AT
RKL NIVAS, KADARI VILLAGE, BAJAGOLI,
KARKALA, UDUPI DIATRICT-574122.

...RESPONDENTS

(BY SRI.NEELAKANTAPPA K. PUJAR., HCGP A/W
SRI. RANJITH KUMAR N., HCPG FOR R1 & R2;
V/O/D 10.8.2026
SRI. SHRAVAN BHARADWAJ., ADVOCATE FOR R3 TO R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI TO QUASH THE ORDER DATED 12.01.2022 PASSED BY THE ASSISTANT COMMISSIONER KUNDAPURA SUB DIVISION, KUNDAPURA IN CDS MLG SR 01/2021-22 AT ANNEXURE-A AND ETC.

THIS WRIT PETITION, COMING ON FOR REPORTING SETTLEMENT, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

Digitally Signed By:
SURAJ GOVINDA RAJ
02/11/2026, 13:42, Bengaluru
Verified

ORAL ORDER

1. The petitioners are before this Court seeking for the following reliefs:

> *(a) Issue a writ of Certiorari to quash the passed by the PRSIDENT, Administrative Tribunal and Sub Division Magistrate Kundapura Sub Division, Kundapura in CDS MLG SR 01/2021-22 at ANNEXURE-A. Dated 12/1/2022.*
>
> *(b) Issue a writ of mandamus directing the respondents No.4-6 to not interfere with the day to day affairs of the respondent No.3.*
>
> *(c) Issue any other writ, order or direction as this Hon'ble Court deems fit and proper under the facts & circumstances of this case in the interest of justice and equity.*

2. Respondents No.3 and 4 had filed a complaint before the Senior Citizens Tribunal alleging that they were not being looked after properly. The requirements for their maintenance have not been paid by their children, namely the petitioners No.1 and 2 and respondent No.6 therein, the said petition having been allowed, the petitioners who were respondents No.1 and 2 therein are before this Court seeking for the aforesaid reliefs.

3. When the matter was taken up for hearing, both the counsels submit that they will explore the possibility of settlement. Respondents No.3 and 4 had also

Digitally Signed By:
SURAJ GOVINDA RAJ
02/11/2026, 13:42, Bengaluru
Verified

appeared before this Court through video conferencing and in pursuance thereof the parties along with the daughter, who is respondent No.5 have entered into a settlement and today a joint memo has been filed which reads as under:

JOINT MEMO

That Writ Petition No.21751/2026 has been filed for the following reliefs:

a. Issue a writ in the nature of Mandamus or any other appropriate writ, order or direction directing Respondent No. 1 to 6 to forthwith enforce and Implement the order dated 12.01.2022 passed by the Assistant Commissioner, Kundapura Sub-Division in Case No. CDS MAG SR No. 1/2021-22 as per Annexure-A and consequently direct Respondent No.7 and 8 to strictly comply with the said order by providing proper food, clothing, shelter, medical treatment, nursing care, geriatric care and all other necessary facilities to Sri Ramakrishna Pillal in accordance with law;

b. Issue a writ, order or direction directing Respondent No. 7 and 8 to reimburse to the 1st Petitioner a sum of Rs. 1,12,222/- (Rupees One Lakh Twelve Thousand Two Hundred and Twenty Two only) incurred towards the medical expenses of Sri Ramakrishna Pillai, together with interest at such rate as this Hon'ble Court deems fit, in terms of ANNEXURE-V.

c. Issue a writ, order or direction directing Respondent No. 7, 8 and 9 to permit reasonable and regular visitation and communication between the Petitioners and Sri Ramakrishna Pillai, subject to his willingness, comfort, privacy and medical condition, and to furnish medical records, treatment details, hospitalization records and health status reports in accordance with law.

d. Issue a writ, order or direction directing Respondent No. 10 and 11 to constitute an Independent Government

Digitally Signed By:
SURAJ GOVINDA RAJ
02/11/2026, 13:42, Bengaluru
Verified

Medical Board comprising specialists in Geriatrics, Internal Medicine and Ophthalmology to assess the present physical, mental and ophthalmological condition of Sri Ramakrishna Pillai.

e. Issue a writ, order or direction directing Respondent No. 7 and 8 to hand over all personal belongings, identity documents and medical records to Sri Ramakrishna Pillai to him at St. Joseph's Home for the Aged or before the competent authority under proper Inventory and acknowledgment.

f. Issue a writ, order or direction directing Respondent No. 7 and 8 to deposit a reasonable emergency medical amount with St. Joseph's Home for the Aged or before the competent authority to meet urgent hospitalization, medicines, specialist consultation and emergency treatment needs of Sri Ramakrishna Pillai and for such other reliefs.

2. The Writ Petition No.24841/2026 has been filed for the following reliefs:

a. Issue a writ of Certiorari to quash the order dated 12.01.2022 passed by the Assistant Commissioner Kundapura Sub Division, Kundapura in CDS MLG SR 01/2021-22 at ANNEXURE-A.
b. Issue a writ of mandamus directing the respondents No.4-5 to not interfere with the day-to-day affairs of the respondent No.3 and for such other reliefs.

3. It is submitted that during the pendency of the above Writ Petitions the parties have decided to settle the dispute amicably and to put an end to the litigations and as such, the petitioner Nos. 1 and 2 and the respondent Nos. 7 and 8 in Writ Petition No.21751/2026 have entered into the present compromise with the following terms and conditions:

a. Petitioner No. 1 in W.P No.24841/2026 has agreed to pay a sum of Rs. 7,500/- per month each to Respondent No. 3 and Respondent No. 4 (totaling Rs. 15,000/- per month), and Petitioner No. 2 has likewise agreed to pay a sum of Rs. 7,500/-per month each to Respondent No. 3 and Respondent No. 4 (totaling Rs. 15,000/- per month) in Writ Petition No. 24841/2026. The said payments shall be

Digitally Signed By:
SURAJ GOVINDA RAJ
02/11/2026, 13:42, Bengaluru
Verified

made to the respective bank accounts of Respondent No.3 and Respondent No.4, as detailed hereinbelow, on or before the 10th day of every preceding month during their lifetime:

i. Respondent No.3 - Ramakrishna Pillai:
Account No.: 9672500100089801
Bank: Karnataka Bank, Bajegoli Branch
IFSC: KARB0000967

ii. Respondent No.4 - Laxmi K:
Account No.: 54019396193
Bank: State Bank of India (SBI), Karkala Branch
IFSC: SBIN0005189

b. Respondent No. 4 in Writ Petition No. 24841/2026 is presently staying with Respondent No. 5, and Respondent No. 3 is presently staying at St. Joseph's Home for the Aged for the Aged, situated at Polimar, Udupi District. It is agreed between the parties that Respondent No. 3 shall be shifted from the said old age home and shall reside along with Respondent No. 4 under one roof. Respondent No. 5 has agreed to take care of both Respondent Nos. 3 and 4 during their lifetime.

c. In addition to the aforesaid payment of Rs. 7,500/- per month, Petitioners Nos. 1 and 2 in Writ Petition No. 24841/2026 and respondent No.5 have agreed to bear the medical expenses of Respondent Nos. 3 and 4 equally, during their lifetime. It is agreed between the parties that the medical expenses shall, in the first instance, be borne and paid by Respondent No. 5, and copies of the medical bills/invoices shall be sent by Respondent No. 5 to Petitioner Nos. 1 and 2 through WhatsApp on or before the 5th day of every succeeding month. Petitioner Nos. 1 and 2 shall, within 5 days of receipt of such bills, reimburse their respective one-third share of the said medical expenses to Respondent No. 5, by remitting the same to her bank account, the particulars of which are set out hereinbelow. It is further agreed that, prior to obtaining or availing any medical assistance or incurring any medical expenditure in respect of Respondent Nos.3 and 4, prior intimation

Digitally Signed By:
SURAJ GOVINDA RAJ
02/11/2026, 13:42, Bengaluru
Verified

regarding the medical assistance required shall be given to the Petitioners herein, except in cases of emergency requiring immediate medical attention.

i. Bank Account Details of Respondent No.5:
Account No.: 110023864921
Name: Arathi
Bank: Canara Bank, Bajegoli Branch
IFSC: CNRB0010163

d. The Respondent No.4 in Writ Petition No.24841/2026 is getting pension of Rs.50,000/- per month and it is agreed between the parties that the said pension amount shall be utilized by her for her requirements and personal needs and no one shell have any claim whatsoever nature in respect of the said pension amount.

e. All the previous medical documents and the Bank Account details and other documents and personal belongings of Respondent No.3 in Writ Petition No.24841/2026 are handed over to Respondent No.5 and no other documents are pending with Petitioner Nos. 1 and 2.

f. It is agreed between the parties that pursuant to the filing of this Joint Memo, the Respondent Nos. 3 and 4 shall stay together and they shall not make any accusations against each other for trivial issues and they shall not cause any problems or hindrance to the petitioners in Writ Petition No.24841/2026 and vice versa. It is further agreed between the parties that no further unnecessary cases can be initiated by either of the parties before any Court of law or the authorities.

g. In the event Petitioner Nos. 1 and 2, as the case may be, fail or neglect to pay the monthly amount of Rs. 7,500/- each as agreed in Clause (a) above, or fail to bear their respective share of the medical expenses as agreed in Clause (c) above, within the stipulated time, or fail to remit the same for a continuous period of two consecutive months, it shall be open to Respondent Nos. 3, 4 and 5 to bring such default to the notice of this Hon'ble Court by

Digitally Signed By:
SURAJ GOVINDA RAJ
02/11/2026, 13:42, Bengaluru
Verified

way of an appropriate application in the present proceedings.

h. It is agreed between the parties that Respondent No. 5, her family members, or any other person claiming through or under Respondent No. 5, shall not obstruct or interfere with the Petitioners' right to visit and meet their parents at reasonable times, with prior intimation. It is further agreed that Petitioner Nos. 1 and 2 shall not interfere with, quarrel with, or cause any disturbance to Respondent Nos. 3, 4 & 5 or their family members during such visits and shall maintain peace and harmony.

i. It is further agreed between the parties that the total medical and related expenses incurred towards the medical treatment, care and assistance of Ramakrishna Pillai, who is Respondent No.3 herein, are as set out below:

Sl. No.	*Date / Period*	*Particulars*	*Amount*
1.	*30.07.2026-13.08.2026*	*KMC Manipal - Inpatient hospitalization, surgery and treatment*	*₹2,48,874/-*
2.	*20.08.2026-09.09.2026*	*KMC Manipal post-operative medication, pharmacy, laboratory and diagnostic expenses*	*₹11,634/-*
3.	*24.08.2026-11.09.2026*	*A.V. Baliga Memorial Hospital -Inpatient treatment*	*₹38,158/-*
4.	*24.08.2026-11.09.2026*	*Food, diet and related daily care expenses*	*₹7,212/-*
		Total	*₹3,05,878/-*

Digitally Signed By:
SURAJ GOVINDA RAJ
02/11/2026, 13:42, Bengaluru
Verified

j. It is further agreed between the parties that the aforesaid total expenditure of ₹3,05,878/- (Rupees Three Lakhs Five Thousand Eight Hundred and Seventy-Eight only) shall be borne equally by the three parties, each party being liable to contribute 1,01,959.33/- (Rupees One Lakh One Thousand Nine Hundred and Fifty-Nine and Thirty-Three Paise only) towards the said medical and related expenses. Accordingly, the respective share of each party shall be treated as ₹1,01,959/- approximately, and the parties shall make payment of their respective shares towards the said expenditure to Respondent No 5, on or before the date of submission of this Joint Memo before this Hon'ble Court.

k. It is further agreed between all the parties that, with a view to restoring and maintaining cordial family relations, the parties shall leave behind the past disputes, differences and incidents and shall not unnecessarily revive, refer to or rely upon the same in a manner that may create further conflict, misunderstanding or disturbance among the family members. All the parties shall endeavor to maintain mutual respect, peace, harmony and goodwill and work towards the well-being, happiness and prosperity of the family as a whole, while respecting the personal freedom, privacy, dignity and independent decision-making of each individual and their respective families.

l. In view of the settlement arrived between the parties in W.P. No. 24841/2026, the connected W.P. No. 21751/2026 is also required to be disposed of in terms of the settlement arrived at in W.P. No. 24841/2026.

4. That the compromise entered between the parties is valid, legal and the same is not opposed to any law. The above compromise is entered between the parties out of their free will and there is no force, threat, coercion and undue influence in entering this compromise.

5. In view of the aforesaid compromise entered into between the parties, the parties pray that this Hon'ble Court be pleased to dispose of the above Writ Petitions in terms of this Joint Memo in the interest of justice and equity.

WHEREFORE, the parties to the above Writ Petitions pray that this Hon'ble Court may kindly be pleased to dispose of

Digitally Signed By:
SURAJ GOVINDA RAJ
02/11/2026, 13:42, Bengaluru
Verified

the above Writ Petitions in terms of this Joint Memo, in the interest of justice and equity

4. Respondents no.3 and 4 are before this Court through video conferencing. On enquiry, they submit that earlier the petitioners were not looking after them, that it was respondents no.5 and 6 who were looking after their interests. Now that the petitioners have come forward to look after their personal requirements by making payment of a sum of Rs.7,500/- each to respondents no.3 and 4 and to bear the medical expenses equally with respondent no.5 in terms of the above joint memo which has been filed. They submit that they have agreed to the same out of their own free will and volition and express their hope that both the sons will look after them since the daughter has already been looking after them.

5. The counsel for the petitioners, on instruction from the petitioners, submits that the amount of Rs.7,500/- to be paid by each of the petitioners to each of respondents no.4 and 5 would be paid from August 2026 and their share of the medical expenses have been handed over to the counsel for

Digitally Signed By:
SURAJ GOVINDA RAJ
02/11/2026, 13:42, Bengaluru
Verified

respondents no.3 to 6, which he acknowledges receipt of.

6. Accepting the terms of the settlement as contained in the joint memo, this Court passes the following:

ORDER

i) The order dated 12.01.2022 passed by respondent No.2 stands modified in terms of the Joint memo which has been filed.

ii) With the above observations, this petition stands ***disposed*** in terms of the Joint memo***.***

Digitally Signed By:
SURAJ GOVINDA RAJ
02/11/2026, 13:42, Bengaluru
Verified

(SURAJ GOVINDARAJ)
JUDGE

PRS,KTY
List No.: 1 Sl No.: 0