HC-KAR

NC: 2026:KHC:63858-DB
WP No. 33861 of 2025

CNR: KAHC010735862025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF NOVEMBER, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE K.S.BHARATH KUMAR

WRIT PETITION NO. 33861 OF 2025 (GM-RES-PIL)

BETWEEN:

1. SRI.RAVI RAI B.D.
   S/O B.A.DOOMANNA RAI,
   AGE ABOUT 62 YEARS,
   RESIDING AT HALERI VILLAGE,
   KEDAKAL POST,
   KUSHALNAGAR TALUK,
   KODAGU DISTRICT - 571237

Digitally signed by PAVITHRA N
Location: High Court of Karnataka

2. SRI M K NANJAPPA
   S/O LATE M M KARYAPPA
   AGE ABOUT 46 YEARS,
   RESIDING AT HALERI VILLAGE,
   KEDAKAL POST,
   KUSHALNAGAR TALUK,
   KODAGU DISTRICT - 571237

3. SRI K E PONNAPPA
   S/O ERAPPA

AGE ABOUT 63 YEARS,
RESIDING AT HALERI VILLAGE,
KEDAKAL POST,
KUSHALNAGAR TALUK,
KODAGU DISTRICT - 571237

4. SRI MANOJ KUMAR B J
S/O JAYARAM B K
AGE ABOUT 37 YEARS,
RESIDING AT HALERI VILLAGE,
KEDAKAL POST,
KUSHALNAGAR TALUK,
KODAGU DISTRICT - 571237

…PETITIONERS

(BY SRI. GANAPATHI NAIK KANGOD, ADV.
V/O DTD:15.09.2026 PETITIONER NO.1 IS DELETED FORM ARRAY OF PARTIES)

AND:

1. STATE OF KARNATAKA
BY ITS PRINCIPAL SECRETARY,
FOREST,
ENVIRONMENT AND ECOLOGY DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU - 560001

2. THE DEPUTY COMMISSIONER
KODAGU DISTRICT
MADIKERI - 571201

3. THE TAHASILDAR
KUSHAL NAGAR TALUK,
KUSHALNAGAR,
KODAGU DISTRICT

4. ENVIRONMENT OFFICER
REGIONAL OFFICE -KODAGU DISTRICT
KARNATAKA STATE POLLUTION CONTROL BOARD,
NO 93/B, 1ST FLOOR,
WARD NO 7,
BLOCK -8,
SAINT JOSEPH CONVENT ROAD,
MADIKERI - 571201

5. PANCHAYATH DEVELOPMENT OFFICER
KEDAKAL GRAMA PANCHAYATH,
HALERI VILLAGE,
KEDAKAL POST,
KUSHALA NAGAR TALUK,
MADIKERI DISTRICT - 571201

6. THE SUPERINTENDENT OF POLICE
MADIKERI 571 201

(RESPONDENT NO.6 IS IMPLEADED AS PER COURT

ORDER DATED 07.10.2026)

…RESPONDENTS

(BY SMT. PRAMODINI KISHAN, AGA FOR R1-R3 & R6;
SRI. MAHESH CHOWDHARY A., ADV. FOR R4 (VK NOT FILED);
SRI. P B ACHAPPA, ADV. FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 ANS 227 OF THE CONSTITUTION OF INDIA R/W RULE 14(1) OF THE KARNATAKA (PIL) RULES 2018, PRAYING TO DIRECT THE RESPONDENT No.5 TO PUT UP THE PROPER FENCING OR SIDE WALL TO THE RIVER CALLED KUPPE RIVER IN HALERI VILLAGE KEDAKAL GRAMA PANCHAYATH, KUSHAL NAGAR TALUK KODAGU DISTRICT BY ISSUING THE WRIT IN THE NATURE MANDAMUS.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE K.S.BHARATH KUMAR

ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

This writ petition is filed seeking the following reliefs;

> *"WHEREFORE, for the reasons stated above the petitioner respectfully prays that this Hon'ble court may be pleased to*
>
> *a) Direct the respondent No.5 to put up the proper fencing or side wall to the river called Kuppe River in Haleri village, Kedakal Grama Panchayath, Kushal Nagar Taluk Kodagu District by issuing the writ in the nature mandamus.*
>
> *b) Direct the respondents to prevent the unlawful activities, dumping garbage it to river, swimming in the river and to control illegal resorts run by the unauthorised persons in that area to prevent pollution of drinking water of the river by issuing the writ in the nature of mandamus.*
>
> *c) Issue any appropriate writ, order or directions as this Hon'ble Court deems to fit under the facts and circumstances of the case and including cost the interest of justice and equity."*

2. We have heard the learned counsel appearing for the writ petitioner, the learned Government Advocate

appearing for the State as well as the learned counsel appearing for other respondents, including the Pollution Control Board.

3. It is submitted by the learned Government Advocate that an inspection was conducted pursuant to the order passed by this Court on 07.10.2026 and that a report has also been prepared, which is produced as document No.1. It is submitted that the issues raised in the writ petition have been addressed and that at present, there is no pollution of the river at the spots that the petitioner complains of. Further it is submitted that necessary precautionary steps, including the installation of CCTV cameras have been completed and that any further issues, if brought to the notice of the concerned respondents, shall also be appropriately addressed in accordance with law.

4. Having considered the contentions advanced and in the nature of the prayer sought for, we are of the

opinion that the steps taken by the respondents are adequate to address the concerns raised in the present writ petition. The writ petition is accordingly ***closed***.

Sd/-
(ANU SIVARAMAN)
JUDGE

Sd/-
(K.S.BHARATH KUMAR)
JUDGE

PN
List No.: 1 Sl No.: 55