



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 735 OF 2026 (LB-RES)

BETWEEN:

SRIJ.R.RAVIKUMAR,
S/O P.M RAJASHEKARAPPA,
AGED ABOUT 46YEARS,
AGRICULTURIST,
R/OF NAYAKANAHATTI TOWN,
CHALLAKERE TALUK, CHITRDURGA-577536.

...PETITIONER

(BY SRI BALARAJ A C,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REP. BY ITS SECRETARY TO GOVERNMENT,
DEPARTMENT OF MUNICIPAL ADMINISTRATION,
M.S.BUILDING,DR.B.R. AMBEDKAR VEEDHI,
BENGALURU-560001.
2. THE ASSISTANT COMMISSIONER,
CHITRADURGA SUB-DIVISION,
CHITRADURGA-577536.
3. THE CHIEF OFFICER,
TOWN PANCHAYATH OFFICE,
NAYAKANAHATTI, CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577536.
4. SRIMAHANATHANNA,
S/OK.NINGAPPA,
MAJOR, COUNCILLOR,
WARD NO.14, TOWN MUNICIPAL COUNCIL,
NAYAKANAHATTI, CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577536.

...RESPONDENTS





(BY SRIBOPPANNA BELLİYAPPA, AGA FOR R-1 & R-2;
SRI L PRAVEEN KUMAR, ADVOCATE FOR R-3;
SRI C.S MADHU,ADVOCATE FOR R-4)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI TO QUASH THE IMPUGNED ORDER BEARING NO.CHINAVANE (DOORU). CR 177/2024-25 DATED 19.12.2025 PASSED BY THE 2ND RESPONDENT VIDE ANNEXURE-K ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs:

"i)issue a writ in the nature of certiorari to quash the impugned order bearing No.Chinavane (Dooru): CR 177/2024-25 dt:19.12.2025 passed by the 2nd respondent vide Annexure-K;

ii) issue a writ in the nature of mandamus directing the respondents 1 to 3 to disqualify the 4th respondent from being elected councilor of Ward No.14 of Town Panchayath, Nayakanahatti, forth with;

iii)issue such other writ, order or directions as deems fit in the circumstances of the case and allow the above writ petition with costs, in the interest of justice and equity."



2. The petitioner, who is a Councillor of the Town Municipal Council, Nayakanahatti, Challakere Taluk, Chitradurga District, had lodged a complaint against respondent No.4 under Section 41 of the Karnataka Municipalities Act, 1964. The allegation made in the complaint was that during the tenure of respondent No.4, three sites were allotted to persons who were closely related to him, allegedly at his instance and influence.
3. Upon receipt of the complaint, respondent No.2 issued notice to respondent No.4 and called for his response. Thereafter, respondent No.2, by the impugned order dated 19.12.2025, dismissed the complaint filed by the petitioner. Aggrieved by the said order, the petitioner has approached this Court in the present writ petition.
4. A perusal of the impugned order dated 19.12.2025 leaves much to be desired. The order merely reproduces the prayer made by the petitioner, the



allegations contained in the complaint, and the response submitted by respondent No.4. Beyond such reproduction of the pleadings, the order does not reflect any independent analysis, consideration of the material placed on record, or application of mind to the issues raised in the complaint. Ultimately, the complaint has been rejected without assigning any meaningful or cogent reasons.

5. Respondent No.2, while exercising powers under Section 41 of the Karnataka Municipalities Act, 1964, performs quasi-judicial functions. A quasi-judicial authority is required to discharge its duties in a manner consistent with the principles of natural justice and the requirement of reasoned decision-making. The passing of reasoned orders is an integral part of quasi-judicial adjudication, as it demonstrates that the authority has applied its mind to the facts of the case, considered the rival



submissions of the parties and arrived at its conclusions on the basis of relevant material.

6. Section 41 of the Act is an important statutory safeguard intended to ensure accountability of elected representatives in municipal bodies. The provision acts as a check against abuse of power or misuse of official position by elected representatives, particularly in matters involving allotment of municipal properties, grant of benefits or exercise of administrative discretion. When allegations are made that an elected representative has used his position to confer benefits upon his relatives or associates, such allegations require careful scrutiny by the competent authority.
7. If complaints of this nature are dismissed without proper enquiry or without recording reasons, the very purpose underlying Section 41 of the Karnataka Municipalities Act would be defeated. It is essential that authorities entrusted with such responsibilities



exercise their powers with due care, transparency and reasoned adjudication, so that public confidence in the functioning of local self-government institutions is maintained.

8. I have dealt with this aspect in detail in the case of ***Smt Usha Mahesh Dasar and others vs. State of Karnataka and others***¹, wherein the importance of reasoned orders and proper consideration of complaints made against elected representatives was emphasized.
9. In the light of the above, the impugned order passed by respondent No.2 cannot be sustained.
10. Hence, I pass the following:

ORDER

- i) The Writ Petition is ***allowed***.
- ii) The order dated 19.12.2025 passed by respondent No.2 at Annexure-K is quashed.

¹ WP 101601/2025 dated 10.2.2026



- iii) The matter is remitted to respondent No.2 for fresh consideration in terms of the observation made in WP No.101601/2025 and connected matter and pass necessary orders within a period of 60 days from the date of receipt of a copy of this order.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

PRS
List No.: 2 Sl No.: 49