



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE S.G.PANDIT

AND

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION No. 1389 OF 2023 (S-KSAT)

BETWEEN:

1. THE REGISTRAR,
KARNATAKA LOKAYUKTA,
M.S.BUILDING,
DR. AMBEDKAR VEEDI,
BENGALURU-560001

...PETITIONER

(BY SRI K. PRASANNA SHETTY, ADVOCATE)

AND:

1. SRI HEMANTH D.,
S/O DASAPPA,
AGED ABOUT 59 YEARS,
ASST. EXECUTIVE ENGINEER,
PWD DIVISION, CHINTAMANI,
KOLAR DISTRICT-563125.
2. THE STATE OF KARNATAKA,
REP. BY ITS SECRETARY TO THE GOVT.,
URBAN DEPARTMENT,
VIKASA SOUDHA,
BENGALURU-560001.
3. THE STATE OF KARNATAKA
REP. BY ITS SECRETARY TO THE GOVT.
PUBLIC WORKS, PORTS AND INLAND WATER TRANSPORT
DEPARTMENT,





VIKASA SOUDHA,
BENGALURU-560001.

...RESPONDENTS

(BY SRI HANUMANTHAPPA A., ADVOCATE FOR R1;
SRI K. R. RAJENDRA, AGA FOR R2 & R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING QUASHING/ SET ASIDE THE ORDER DATED 18.11.2021 PASSED IN THE A.No-6244/2019 PASSED BY THE HON'BLE KAT BENGALURU (ANNEXURE-B).

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

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
and
HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

(PER: HON'BLE MR. JUSTICE K. V. ARAVIND)

Heard Sri.K. Prasanna Shetty, learned counsel for the petitioner and Sri. Hanumanthappa A., learned counsel for respondent No.1 and Sri. K.R. Rajendra, learned AGA for respondent Nos.2 and 3.

2. The Karnataka Lokayukta, represented by its Registrar, is before this Court, assailing the order dated 18.11.2021 passed in Application No.6244/2019 by the Karnataka State Administrative Tribunal, Bengaluru (for short, "the Tribunal").



3. The brief facts of the case are that respondent No.1, while working as an Assistant Engineer in Bruhat Bengaluru Mahanagara Palike, received a complaint lodged by Smt. V. Bharathi, alleging that one Mr. Venkatesh had put up a construction by trespassing into her property and that the said construction was in violation of the sanctioned building plan. A complaint was filed before Karnataka Lokayukta against the petitioner alleging that the petitioner has failed to take any action.

3.1 Upon receipt of the complaint, an enquiry was conducted. In the meanwhile, based on the said complaint, proceedings under Section 321 of the Karnataka Municipal Corporation Act, 1976 (for short, "the KMC Act") were initiated. Thereafter, an enquiry report was submitted under Section 12(3) of the Karnataka Lokayukta Act, 1984. Subsequently, disciplinary enquiry proceedings were entrusted under Rule 14-A of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 (for short, "the KCS (CCA) Rules, 1957"). Pursuant thereto, the Enquiry Officer issued the articles of charge.



3.2 Aggrieved by the order of entrustment of enquiry and the articles of charge, respondent No.1 approached the Tribunal. The Tribunal, by allowing the application, set aside the order of entrustment as well as the articles of charge, following its earlier order dated 27.06.2019 passed in Application No.4085/2018 in the case of co-DGO.

4. Sri. K. Prasanna Shetty, learned counsel appearing for the petitioner, submits that the order passed by the Tribunal in Application No.4085/2018 was not accepted and that a writ petition challenging the same has been filed before this Court. He further submits that the role attributed to the petitioner herein and that of the co-DGO, namely Sri. N.R. Muniyappa, was not identical. Therefore, the learned counsel contends that the Tribunal ought to have independently considered the matter on its own merits.

5. Sri. Hanumanthappa A., learned counsel appearing for respondent No.1, submits that the Enquiry Officer has issued common articles of charge against the petitioner and Sri. N. R. Muniyappa, the Co-DGO. He further submits that the Tribunal, by its order dated 27.06.2019 passed in Application



No.4085/2018, has already set aside the order of entrustment and the articles of charge. It is contended that there is no distinction between the charges levelled against the petitioner and those levelled against Sri. N. R. Muniyappa.

6. Sri. K. R. Rajendra, learned Additional Government Advocate appearing for respondent Nos. 2 and 3, supports the submissions made by the learned counsel for the petitioner.

7. We have considered the submissions made by learned counsel for the parties and perused the entire writ petitioner papers.

8. It is evident from the record that common articles of charge were issued to the petitioner and Sri. N. R. Muniyappa on 22.03.2017. The order entrusting the enquiry is dated 16.02.2017. The said order of entrustment and the articles of charge were challenged by Sri. N. R. Muniyappa in Application No.4085/2018. The Tribunal entertained the application and, by order dated 27.06.2019, set aside the order of entrustment as well as the articles of charge. Though the said order was



challenged by the petitioner in W.P. No.530/2024, the same was rejected by this Court vide order dated 19.09.2025.

9. The Tribunal, in the impugned order, following the order passed in the case of the co-DGO, has set aside the order of entrustment and the articles of charge. Though the learned counsel for the petitioner attempted to persuade this Court that the present case requires an independent examination, the said submission cannot be accepted, having regard to the fact that common articles of charge have been issued. Since the articles of charge and the order of entrustment have already been set aside in the case of the co-DGO, the present writ petition cannot be entertained by according a different treatment.

10. In the light of the above discussion, we find no merit in the writ petition. Accordingly, the writ petition stands ***dismissed.***

**Sd/-
(S.G.PANDIT)
JUDGE**

**Sd/-
(K. V. ARAVIND)
JUDGE**