



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO. 30222 OF 2017 (GM-RES)

BETWEEN:

1. SRI. M.G. SHANKARANAYAN
S/O GOPALAPPA
AGED ABOUT 50 YE ARS
DEPUTY SUPERINTENDENT OF POLICE
KARNATAKA LOKAYUKTHA
BANGALORE CITY DIVISION
BENGALURU.
R/O DOOR NO.1489
OLD S M ROAD, OPP LIBRARY
MALUR, KOLAR DISTRICT-563130.
2. SRI. H.G. MAHESH
S/O GIRI GOWDA
AGED ABOUT 57 YEARS
CIRCLE INSPECTOR OF POLICE
PAVAGADA CIRCLE
TUMKUR DISTRICT.
3. SRI. M.L. PURUSHOTHAM
S/O LAXMAN GOWDA
AGED ABOUT 49 YEARS
DEPUTY SUPERINTENDENT OF POLICE
CHIKBALLAPUR SUB DIVISION
CHIKBALLAPUR.

...PETITIONERS

(BY SRI. SHANTAKUMAR K.C., ADVOCATE)



AND:

1. KARNATAKA STATE HUMAN RIGHTS COMMISSION
IV FLOOR, 5TH PHASE
M S BUILDINGS, VIDHANA VEEDHI
BENGALURU -560001.
REPRESENTED BY ITS REGISTRAR.
2. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
HOME DEPARTMENT, VIDHANA SOUDHA
BENGALURU -560001.
3. THE DIRECTOR AND INSPECTOR
GENERAL OF POLICE
NO.2, NRUPATUNGA RAOD
BENGALURU -560002.
4. SRI. SHIVAKUMAR
S/O C RAMACHANDRA
AGED: MAJOR
R/O DOOR NO.36, 6TH MAIN
4TH CROSS ROAD, AGRAHARA DASARAHALLI
MAGADI ROAD, BENGALURU -560079.

...RESPONDENTS

(BY SRI. NITIN PRASAD, ADVOCATE FOR R1;
SRI. MAHANTESH SHETTAR, AGA FOR R2 & R3;
SRI. NITHYANANDA MURTHY P., ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL
FOR THE PROCEEDINGS OF THE RESPONDENT NO.1
COMMISSION IN CASE NO.HRC 2873/2009 ON ITS FILE,
PERUSE THE SAME AND DECLARE THE ENTIRE PROCEEDINGS



CULMINATING IN THE IMPUGNED ORDER DATED 24.11.2016
VIDE ANNEX-F AS A NONEST, VOID AND UNENFORCEABLE.

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

1. In this writ petition, petitioners are assailing the order dated 24.11.2016 (Annexure-F) passed by respondent No.1 in HRC No.2873/2009.
2. Heard learned counsel appearing for the parties.
3. Sri. Shanthakumar K.C., learned counsel appearing for the petitioners invited the attention to the proceedings dated 11.07.2011 in which the matter was heard by the Bench consisting of Hon'ble Dr. Justice S.R. Nayak and other two Members and submitted that, a perusal of the impugned order at Annexure-F dated 24.11.2016 wherein the order has been passed by Smt. Meera C. Saxena, Acting Chairman of the respondent - Commission would indicate that the impugned



order suffers from non application of mind by the respondent - Commission and accordingly, sought to allow the petition.

4. Per contra, Sri. Nitin Prasad, learned counsel appearing for the respondent No.1, sought to justify the action of the respondent No.1.

5. In the light of the submissions made by the learned counsel appearing for the parties, without going to the merits of the case, I have carefully considered the order sheet dated 11.07.2011, wherein the matter was heard and reserved for Orders by the Chairperson and respective Members of the Commission. On careful consideration of the final order dated 24.11.2016 (Annexure-F), wherein the order has been passed by Smt. Meera C. Saxena, Acting Chairman of the Commission, wherein, order is passed without hearing the matter on merits.

6. In that view of the matter, taking into consideration the factual aspects on record, I am of the view that, the order dated 24.11.2016 (Annexure-F) is unsustainable in law and same has to be set aside as the said order has been passed without hearing the parties. Accordingly, I pass the following:



ORDER

(i) The Writ Petition is allowed.

(ii) The order dated 24.11.2016 (Annexure-F) passed by respondent No.1 is hereby set aside and the matter is remitted to respondent No.1 to hear the matter afresh, and after affording opportunity of hearing to all the parties, to take a decision in the matter, in accordance with law.

**SD/-
(E.S.INDIRESH)
JUDGE**

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List No.: 1 Sl No.: 25