



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 9566 OF 2026 (GM-POLICE)

BETWEEN:

MANAGING COMMITTEE
REP. BY SADDAM.,
AGED ABOUT 37 YEARS,
JUMMA MASJID, NAGEHALLI VILLAGE,
HIREJAMBOOR GRAMA,
SHIKARIPUR TALUK,
SHIVAMOGGA DISTRICT- 577 477.

...PETITIONER

(BY SRI. MALLANAGOUDA H., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP.BY PRINCIPAL SECRETARY,
HOME DEPARTMENT, VIDHANA SOUDHA,
BENGALURU -560 001.
2. SUPERINTENDENT OF POLICE,
HONNAVAR HWY, POLICE QUARTERS,
SHIVAMOGGA- 577 205.
3. INSPECTOR GENERAL OF POLICE.,
DEVARAJ URS BADAVANE, B BLOCK,
DEVANAGERE- 577 006 .
4. POLICE CIRCLE INSPECTOR,
KUMADHAWTHI NAGAR,
SHIKARIPUR- 577 427.

...RESPONDENTS

(BY SRI. K.P.YOGANNA, AGA)





THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE RESPONDENTS TO FORTHWITH REGISTER AN FIR IN RESPECT OF THE COGNIZABLE OFFENCES DISCLOSED IN THE COMPLAINTS OF THE PETITIONER DATED 13.02.2026 AND 26.02.2026, WHICH ARE ANNEXURES-C, D AND E AGAINST SAID SUCH PERSONS AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The petitioner in the captioned writ petition seeks issuance of a writ of mandamus directing the respondent-authorities to forthwith register a First Information Report on the basis of the complaints dated 13.02.2026 and 26.02.2026, produced at Annexures "C" to "E".

2. Heard the learned counsel for the petitioner and the learned Additional Government Advocate. Perused the material on record, including the written complaints.

3. A careful reading of the complaints would indicate that the dispute essentially pertains to inter se differences between two groups in relation to offering



namaz at the mosque. Though certain individuals have been named in the complaints, the averments therein do not disclose any specific overt acts attributable to the said persons so as to prima facie constitute a cognizable offence warranting registration of an FIR. In this context, it would be apposite to extract the relevant portion of the complaint, which reads as under:

" ಆದರೆ ಈಗ ತಬ್ಲಿಕ್ ಜಮಾಯತ್‌ನ ಕಮೀಟಿಯವರು ಆದ 1) ಗೌಸ್ ಪೀರ್ ಸಾಬ್ ಬಿನ್ ಸಾಬ್‌ಜಾನ್ ಸಾಬ್ 2) ಅಬ್ದುಲ್ ರಹೀಂ ಬಿನ್ ಗೌಸ್ ಪೀರ್ ಸಾಬ್ 3) ರಹೀಂ ಸಾಬ್ ಬಿನ್ ಆಯೂಬ್ ಸಾಬ್ 4) ಶಾರುಖ್ ಖಾನ್ ಬಿನ್ ಆಯೂಬ್ ಸಾಬ್ 5) ಸಲೀಂ ಬಿನ್ ಚಮನ್ ಸಾಬ್ 6) ಸೈಫುಲ್ಲಾ ಬಿನ್ ಗೌಸ್ ಪೀರ್ ಸಾಬ್ 7) ಸಮೀವುಲ್ಲಾ ಬಿನ್ ಗೌಸ್ ಪೀರ್ ಸಾಬ್ 8) ಉಮ್ಮರ್ ಬಿನ್ ಆಯೂಬ್ ಸಾಬ್ 9) ರಾಜಾಸಾಬ್ ಬಿನ್ ಬಾಬು ಸಾಬ್ 10) ಸಲ್ಮಾನ್ ಬಿನ್ ರಹೀಂ ಸಾಬ್ 11) ಮೂಬೀನ್ ಬಿನ್ ಗೌಸ್ ಪೀರ್ ಆದ ಇವರಿಗೆ ಎಲ್ಲಿಯೂ ಜಯಾ ಸಿಗಲಿಲ್ಲ, ಎಂದು ನಮ್ಮ ಸುನ್ನಿ ಸಂಪ್ರದಾಯದಂತೆ ಮಸೀದಿಯಲ್ಲಿ ಆಚರಣೆಗೆ ಪ್ರಾರ್ಥನೆಗೆ (ನಮಾಜ್)ಗೆ ಅಡೆ-ತಡೆ ಮಾಡಲು ಪ್ರಯತ್ನ ಪಡುತ್ತಿದ್ದು, ಪ್ರತಿ ದಿನ ನಮ್ಮ ಮಸೀದಿಗೆ ಬಂದು ನಮಗೆ ಬೆದರಿಕೆ ಹಾಕುತ್ತಿದ್ದು ಹಾಗೂ ನಮಗೆ ಹಲ್ಲೆ ಮಾಡಲು ಪ್ರಯತ್ನ ಪಡುತ್ತಿದ್ದಾರೆ. ಹಾಗೂ ನಮ್ಮಗಳಿಗೆ ಕೊಲೆ ಬೆದರಿಕೆ ಕೂಡಾ ಹಾಕುತ್ತಿದ್ದಾರೆ. ಹಾಗಾಗಿ ತಾವುಗಳು ಈ ಮೇಲ್ಕಂಡ ತಬ್ಲಿಕ್ ಕಮೀಟಿಯವರನ್ನು ಕರೆಯಿಸಿ ನಮ್ಮ ಮಸೀದಿಯಲ್ಲಿನ ಸುನ್ನಿ ಪದ್ಧತಿಯಂತೆ ನಮಾಜ್ ಮಾಡಲು ತೊಂದರೆ ನೀಡದಂತೆ ಹಾಗೂ ಅವರುಗಳು ಬರದಂತೆ ಸೂಕ್ತ ಬಂದೋಬಸ್ತ್ ಮಾಡಿಕೊಡಬೇಕಾಗಿ ತಮ್ಮಲ್ಲಿ ವಿನಯಪೂರ್ವಕವಾಗಿ



ಬೇಡಿಕೊಳ್ಳುತ್ತೇವೆ. ಹಾಗೂ ಅವರಿಂದ ಸೂಕ್ತ ರಕ್ಷಣೆ ನೀಡಬೇಕಾಗಿ
ಪ್ರಾರ್ಥನೆ."

From a cumulative reading of the averments made in the complaint, it clearly transpires that two factions are at loggerheads, each asserting an exclusive right to offer namaz at the mosque, to the exclusion of the other. The dispute, thus, appears to be essentially civil in nature, stemming from competing claims over the manner and entitlement to use the place of worship. In the absence of any specific allegations indicating distinct overt acts or material particulars that would prima facie constitute the ingredients of a cognizable offence, this Court is of the considered view that the complaints, as they stand, do not warrant a direction to the respondent-police to register an FIR. Mere assertion of rivalry or discord between groups, without concrete allegations disclosing commission of a cognizable offence, cannot be a ground to invoke the extraordinary jurisdiction of this Court for issuance of a writ of mandamus.



4. In that view of the matter, this Court proceeds to pass the following:

ORDER

(i) The writ petition stands dismissed.

(ii) It is, however, made clear that this order shall not preclude the petitioners from approaching the jurisdictional police authorities, in the event any specific incident occurs or any act is committed by either of the factions that discloses commission of a cognizable offence. In such an eventuality, it is open to the petitioners to seek appropriate remedies in accordance with law, and the respondent-police shall consider the same in accordance with law, without being influenced by the dismissal of the present writ petition.

**SD/-
(SACHIN SHANKAR MAGADUM)
JUDGE**