



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 31225 OF 2025 (GM-POLICE)

BETWEEN:

MRS. AMARESHWARI

D/O LATE RAMAKRISHNA

AGED ABOUT 53 YEARS

R/AT NO.867, 9TH BLOCK, 1ST PHASE,

2ND CROSS, NEAR KANNADA

CHANDRODHAYA SALEY

K N EXTENSION, YESHWANTHPUR,

BANGALORE NORTH, BANGALORE - 560 022



...PETITIONER

(BY SRI KPS PALANIVEL RAJAN, SENIOR
ADVOCATE FOR SRI.SATHIES KUMAR S.,
ADVOCATE, SRI P. HARVENTA AND SRI.D.
HARIHARAN, ADVOCATES)



AND:

1. THE STATE OF KARNATAKA
THROUGH THE PRINCIPAL SECRETARY
HOME DEPARTMENT,
VIDHANA SOUDHA, BANGALORE - 560 001
2. THE COMMISSIONER OF POLICE
BANGALORE CITY, INFANTRY ROAD
BANGALORE - 560 001
3. THE POLICE INSPECTOR
YESHWANTHPUR POLICE STATION
BANGALORE - 560 022
4. MR. SIVAKUMAR
S/O LATE RAMAKRISHNA
NO.18, 13TH CROSS, AMARNILAYAM
BEHIND VISHAL MEGA MART
RAMURTHY NAGAR, BANGALORE -560016

...RESPONDENTS

(BY SRI. B. RAVINDRANATH, AGA FOR R1 TO R3;
SRI.RAJESH MAHALE, SENIOR ADVOCATE FOR
SRI.G.R. VENKATESH MURTHY, ADVOCATE FOR
R4;
SRI.G. MANOHAR, ADVOCATE FOR R.4)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A. DIRECTING RESPONDENT NO.3 (POLICE INSPECTOR, YESHWANTHPUR POLICE STATION) TO IMMEDIATELY CEASE AND DESIST FROM ALL INTERFERENCE IN THE CIVIL DISPUTE BETWEEN THE PETITIONER AND RESPONDENT NO.4; B. ISSUE APPROPRIATE DIRECTIONS TO RESPONDENT NOS. 1, 2 AND 3 NOT TO ENTERTAIN ANY COMPLAINTS OR REQUESTS FOR INTERVENTION FROM RESPONDENT NO.4 OR ANY OTHER PERSON IN RELATION TO THE PROPERTY DISPUTE, SUCCESSION MATTERS, VALIDITY OF TESTAMENTARY DOCUMENTS, AND RENTAL COLLECTION, WHICH ARE PURELY CIVIL MATTERS PENDING BEFORE COMPETENT CIVIL COURTS; AND ETC.

THIS PETITION, COMING ON FOR ORDERS,
THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD



ORAL ORDER

This writ petition is an offshoot of the dispute amongst the siblings over certain immovable properties, and the dispute is pending consideration in a suit for partition in O.S No.3480/2025 on the file of the XIX Additional City Civil and Sessions Judge, Bengaluru. The petitioner is the elder daughter, and the fourth respondent is her youngest brother. The two other siblings are a sister and a brother. The petitioner has filed this petition for directions to the third respondent [*the jurisdictional Station House Officer*] to desist from interfering in the civil suit at the fourth respondent's instance.

2. This Court, on 16.10.2025, has called upon the Commissioner of Police to file an affidavit as regards the actions proposed and the penal provisions if there is any violation by any police officer. This Court has also called upon the then jurisdictional Station House Officer to file an affidavit



as regards the allegations made in the petition. This Court, on 17.02.2026, has extended another opportunity to the Station House Officer to file an affidavit. In response, the current Station House Officer has filed an affidavit denying any intervention at the fourth respondent's instance detailing the different proceedings starting from 22.09.2025 with the fourth respondent approaching with a complaint. Crucially, the Police Officer has recorded the statement attributed to the fourth respondent, and the following is seen from this statement.

Smt. Bhooshanam, the mother, has died on 23.05.2025 and on her demise there is some kind of an agreement amongst the siblings that the petitioner must receive rents from the tenants and that the amount should be only applied for repairs and maintenance work of the building.



The fourth respondent has also purportedly stated that he is in occupation of the first floor adverting to the suit in O.S No. 3480/2025 commenced by another brother.

3. Sri K. P. S. Palanivel Rajan, the learned Senior Counsel for the petitioner, Sri B. Ravindranath, the learned Additional Government Advocate, and Sri Rajesh Mahale, the learned Senior Counsel for the fourth respondent, are heard to answer the following two questions to dispose of the petition:

a. Whether there must be any direction on the receipt of rents from the tenants in the occupation of the building, and

b. Whether this Court must issue any direction to the police officers in the circumstances that have now been brought on record.



4. Mr. K.P.S. Palanivel Rajan and Mr. Rajesh Mahale submit that:

[a] an application is filed in the pending suit in OS No. 3480/2025 for interim orders on the rents that have to be paid by the tenants, and

[b] the petitioner who has received rents from June 2025 to August 2025 will deposit such rent [Rs.2,20,000/-] with the Civil Court in the pending suit.

5. Mr. K.P.S. Palanivel Rajan submits that the fourth respondent, who is receiving rent from the month of September 2025, can receive rents but he must also deposit the rents into the civil Court subject to orders on the pending application. Mr. Rajesh Mahale submits that the fourth respondent



will continue to receive the rents, but effective from 01.02.2026 he will also deposit the rents received into the civil Court for just orders on the pending application. This is the only discord as seen today.

6. The reason for the present petition, as is discerned, is the dispute over rent, and already an application is filed in the pending suit which must be decided by the civil Court. This Court, in the light of the rival submissions, opines that the petition must be disposed of taking on record the unanimous submissions as afore leaving open all contentions to be decided in the suit. This will enable the civil Court to decide, and not the police, on the controversy over the receipt of rent taking into consideration all circumstances before arriving at a decision. Further, this Court is not persuaded to opine conclusively [without a detailed enquiry] that the police intervention has not resulted in aggravation, but this Court, in the peculiar circumstances, is also not



persuaded to pass any orders either directing the Police or for an enquiry into the Police conduct. Hence the following,

ORDER

[A] The petition stands disposed of calling upon the petitioner to deposit the rents that she has received from the months - June 2025 to August 2025 in the pending suit in OS No.3480/2025 within four [4] weeks.

[B] The fourth respondent shall continue to receive the rents but deposit into the Court the rents that he has received commencing from 01.02.2026.

[C] These deposits shall be subject to the civil Court's orders on the pending application and any other application that could be filed touching upon this subject.

[D] The dispute over the amount that the fourth respondent has received from



September 2025 to January 2026 is left open to be decided in the civil suit by the civil Court.

[E] The fourth respondent shall deposit the rents as and when he receives them but within two [2] weeks from the date of receipt of such rent.

[E] The civil Court shall expedite the disposal of the pending application touching upon the subject matter as expeditiously as possible.

Sd/-
(B M SHYAM PRASAD)
JUDGE

NV
List No.: 4 Sl No.: 1