



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 9TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 104506 OF 2016 (S-RES)

BETWEEN:

SRI. SUBHAS S/O GUDDAPPA KAMBALI,
AGE: 49 YEARS,
OCC: ASSISTANT EXECUTIVE ENGINEER,
HUBBALLI DHARWAD MUNICIPAL CORPORATION,
HUBBALLI, PRESENTLY R/O. VIDYANAGAR WEST,
HAVERI, DIST: HAVERI.

...PETITIONER

(BY SRI. M.S. HARAVI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY,
TO URBAN DEVELOPMENT DEPARTMENT,
VIKAS SOUDHA, BENGALURU-560001.
2. THE DIRECTOR OF MUNICIPAL
ADMINISTRATION, 9TH FLOOR,
VISHWESWARAIAH TOWER,
DR.B.R. AMBEDKAR VEEDI,
BANGALURU-560001.
3. THE COMMISSIONER
HUBLI DHARWAD MUNICIPAL
CORPORATION, HUBLI,
DIST: DHARWAD.





4. THE DEPUTY COMMISSIONER,
HAVERI, DIST: HAVERI.
5. THE COMMISSIONER,
HAVERI URBAN DEVELOPMENT,
AUTHORITY, HAVERI,
DIST: HAVERI.

...RESPONDENTS

(BY SMT. NANDINI B. SOMAPUR, AGA FOR R1, R2 AND R4;
SRI. SUSHANT S. CHATNI, ADVOCATE FOR
SRI. G.I. GACHCHINAMATH, ADVOCATE FOR R3 AND R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN RELIEFS.

THIS WRIT PETITION IS LISTED FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.M.S.Haravi., counsel for the petitioner, Smt.Nandini B.Somapur., AGA for respondents 1, 2, 4 and counsel Sri.Sushant S.Chatni., for respondents 3 and 5 have appeared in person.

2. The Writ petition is filed seeking the following reliefs.

"1. ISSUE writ, order or direction in the nature of Certiorari to quash the Show cause notice along with charge sheet No. NaAaE/273/NaYoSe/2014/BENGALURU dated 25-4-2016 issued by the 1st respondent as per Annexure-J.



2. Issue any appropriate, writ, order or direction as deems fit by this Hon'ble under the facts and circumstances of the case by allowing this writ petition with cost in the interest of justice and equity."

3. The Articles of Charge is challenged in this Writ Petition on several grounds, as detailed in the Memorandum of Writ Petition.

4. Counsel for the respective parties presented several arguments. I have heard the contentions and carefully perused the writ papers.

5. Ordinarily, a charge sheet or articles of charge cannot be challenged through a writ petition under Article 226, as it does not constitute an adverse order affecting rights. Instead of a writ petition, the appropriate course of action is to respond to the charge sheet and participate in the departmental proceedings. Furthermore, the law is well settled that Articles of Charge generally cannot be examined under writ jurisdiction. Therefore, I decline to exercise power under said jurisdiction.

6. Consequently, the Writ Petition is ***dismissed***.



7. Because of the dismissal of the Writ Petition, the interim order granted by this Court, if any, stands discharged, and the pending interlocutory applications, if any, are disposed of.

Sd/-
(JYOTI M)
JUDGE

AM/-
List No.: 1 Sl No.: 69