



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 17TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 200068 OF 2026 (LB-RES)

BETWEEN:

1. MD ABDUL KAREEM S/O MD KHAJA MIYA,
AGE: 43 YEARS, OCC: COUNSELOR,
R/O 8941/26, SHA HUSSAIN STREET,
BASAVAKALYAN TOWN, DIST.BIDAR-585327.
2. MOIN PASHA S/O RAJESAB,
AGE: 46 YEARS, OCC: COUNSELOR,
R/O H.NO.9-221 SHA HUSSAIN STREET,
BASAVAKALYAN TOWN, DIST.BIDAR-585327.

...PETITIONERS

(BY SRI MALIK PASHA M., ADVOCATE)

AND:

1. THE DIRECTOR OF MUNICIPAL,
ADMINISTRATION AMBEDKAR ROAD,
9TH AND 10TH FLOOR VISHVESHVARIAH TOWER,
SAMPIGE RAMA NAGAR,
BENGALURU-560001.
2. THE REGIONAL COMMISSIONER,
OFFICE OF THE REGIONAL,
COMMISSIONER KALABURAGI,
No.18 2ND FLOOR MINI VIDHANA SOUDHA,
DIVISION KALABURAGI-585103.





3. THE DEPUTY COMMISSIONER,
OFFICE OF THE DEPUTY COMMISSIONER BIDAR.
4. THE COMMISSIONER
CITY MUNICIPAL COUNCIL BASAVAKALYAN,
TQ.BASAVAKALYAN, DIST.BIDAR- 585327.
5. FAHEEMUDDIN S/O MUQTARUDDIN,
AGE ABOUT 50 YEARS,OCC: JUNIOR ENGINEER
CMC BIDAR.

...RESPONDENTS

(BY SRI SHESHADRI JAISHANKAR M., AGA FOR R1 TO R3;
SRI GOURISH S. KHASHAMPUR, ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, A) ISSUE THE WRIT IN NATURE OF MANDAMUS AND THEREBY DIRECT THE RESPONDENT NO.1 TO 4 TO CONSIDER THE REPRESENTATION GIVEN BY THE PETITIONERS DATED 12-04-2023 VIDE ANNEXURE-C,D AND E. B) ANY OTHER DIRECTIONS MAY BE ISSUED IN THE FACTS AND CIRCUMSTANCES OF THE CASE.

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

CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

ORAL ORDER

1. This writ petition under Articles 226 and 227 of the Constitution of India, is filed with a prayer to issue writ of mandamus directing respondents to consider the representation



of the petitioners dated 12.04.2023 vide Annexures - C, D and E.

2. Heard the learned counsel for the petitioners, learned AGA for respondent Nos.1 to 3 and learned counsel for respondent No.4. Notice to respondent No.5 is dispensed with, as no specific prayer is made in this petition as against respondent No.5.

3. Petitioners, who are the elected Councillors of respondent No.4 - Municipal Council, appears to have submitted representations on 12.04.2023 vide Annexures - C, D and E, alleging that respondent No.5, who is working as Junior Engineer in the 4th respondent - Municipal Council has misappropriated the funds of the Municipal Council by playing fraud and has made unlawful gain. The grievance of the petitioners is that though such representations are filed making serious allegations against respondent No.5, the same is not considered by the competent authority till date.

4. Perusal of the material on record would go to show that representation at Annexure - E dated 12.04.2023 which was



submitted by the petitioners to respondent No.3 - Deputy Commissioner was forwarded by him to respondent No.4 for taking appropriate action on 29.08.2024 itself. The grievance of the petitioners is that till date, respondent No.4 has not considered the said representation and no action has been taken pursuant to the representation at Annexure-E.

5. Learned counsel for respondent No.4 submits that representation at Annexure - E shall be considered by respondent No.4 after hearing all the parties and appropriate action shall be taken on the same, if some reasonable time is granted. The said submission is placed on record.

6. The writ petition is ***partly allowed***. Respondent No.4 is directed to consider the representation of the petitioners dated 12.04.2023 vide Annexure - E which was forwarded to him by respondent No.3 - Deputy Commissioner on 29.08.2024 and appropriate action shall be taken on the same in accordance with law, after giving an opportunity of being heard to the petitioners as well as respondent No.5 herein, as expeditiously as possible, but not later than a period of four months from the date of receipt of a copy of this order.



7. Petitioners are permitted to file a fresh representation before respondent No.4 along with a copy of Annexure – E and a copy of this order, within a period of fifteen days from today.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

DN
List No.: 1 Sl No.: 9
CT:PK