



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 3<sup>RD</sup> DAY OF JUNE, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE M.G.S. KAMAL**

**WRIT PETITION NO. 6337 OF 2022 (GM-RES)**

**BETWEEN:**

MR. N THEJAS KUMAR  
S/O SRI.NAGAPPA,  
AGED ABOUT 51 YEARS,  
R/AT No.79/A, 1<sup>ST</sup> MAIN,  
SIDDIVINAYAKA LAYOUT,  
SANJAYNAGAR, RMV EXTENSION,  
2<sup>ND</sup> STAGE, BANGALORE - 560 094.

...PETITIONER

(BY SRI. PRUTHVI WODEYAR.,ADVOCATE)

**AND:**

1. THE STATE INFORMATION COMMISSIONER  
KARNATAKA STATE INFORMATION COMMISSION,  
ROOM No.2, GROUND FLOOR,  
INFORMATION SOUDHA,  
DR.DEVARAJ URS ROAD,  
OPPOSITE TO VIDHANA SOUDHA WEST GATE,  
BENGALURU - 560 001.
2. THE TAHASILDHAR AND PUBLIC,  
INFORMATION OFFICER,  
BANGALORE EAST TALUK,  
K.R.PURAM HOBLI,  
BENGALURU - 560 036.
3. MANJUNATH MURTHY,  
FATHER NAME NOT KNOWN,  
AGE MAJOR,  
No.31, AMBEDKAR NAGAR,  
SARJAPURA MAIN ROAD,  
BENGALURU - 560 035.

...RESPONDENTS





(BY SRI. SHARATH GOWDA G B.,ADVOCATE FOR R1;  
SRI. MANJUNATH RAYAPPA., AGA FOR R2;  
R3 MANJUNATH MURTHY SERVED AND UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER DATED 04.01.2022 PASSED BY THE R-1 VIDE ANNEX-D.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP THIS DAY, ORDER WAS MADE THEREIN AS UNDER:  
CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

### **ORAL ORDER**

Petitioner who was discharging his duties as a Tahsildar Grade-1, K.R. Puram, Bengaluru East, was requested by respondent No.3 herein for furnishing of certain information pertaining to a case in NCR(V) CR.15/2017-18 under the Right to Information Act.

2. A reply as per Annexure-A, dated 29.10.2020 came to be issued by the petitioner herein, intimating that since the matter was reserved for orders, no information could be provided. As against which, respondent No.3 herein has preferred an appeal before respondent No.1. In the meanwhile, petitioner was promoted and shifted to the post of Assistant Commissioner.



3. Consequent upon the appeal filed by the respondent No.3, Order dated 04.01.2022 as per Annexure-D came to be passed with specific observation and direction that action be initiated against the previous Presiding Officer, under the provisions of the Karnataka State Public Records Act, 2010 and Rules, 2013 and also to register a complaint. It is this observation/direction which has constrained the petitioner to file this petition before this Court.

4. Learned counsel for the petitioner drawing attention of this Court to the provisions of Section 20 of the Right to Information Act, 2005 submits that though there is a provision for imposition of the penalty under the circumstances provided thereunder, there is no authority or jurisdiction vested with the respondent No.1 to issue direction for registration of a complaint as sought to be done. He submits that the order impugned to the extent of the direction contained in paragraph No.5 thereof is required to be quashed.

5. Learned counsel appearing for the respondent No.1, on the other hand submits that the order do not specifically refer to the petitioner herein. Therefore, the petitioner's grievance is



unfounded. However, he does not dispute that Section 20 of the Right to Information Act, 2005 do not vest any power with the respondent-Commissioner to direct filing of any complaint.

6. Heard and perused the records

7. Paragraph No.5 of the impugned order reads as under:

" 5. ಪ್ರಕರಣದಲ್ಲಿ ಕೋರಿರುವ ಮಾಹಿತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಪ್ರತಿವಾದಿಗಳ ದಿನಾಂಕ:03.01.2022ರ ವರದಿಯಲ್ಲಿ ಮೂಲ ಕಡತವನ್ನು ಹಿಂದಿನ ಪೀಠಾಧಿಕಾರಿಗಳಿಗೆ ನೀಡಲಾಗಿರುತ್ತದೆ ಎಂದು ನೀಡಿರುವ ಹೇಳಿಕೆಯನ್ನು ಗಂಭೀರವಾಗಿ ಪರಿಗಣಿಸಿರುವ ಆಯೋಗವು ದಿ ಕರ್ನಾಟಕ ಸ್ಟೇಟ್ ಪಬ್ಲಿಕ್ ರೆಕಾರ್ಡ್ಸ್ 2010 ಕಾಯ್ದೆ ಹಾಗೂ ದಿ ಕರ್ನಾಟಕ ಸ್ಟೇಟ್ ಪಬ್ಲಿಕ್ ರೆಕಾರ್ಡ್ಸ್ 2013 ಕಾಯ್ದೆಗಳ ಅನ್ವಯ ಕ್ರಮ ಕೈಗೊಂಡು ಸಂಬಂಧಿಸಿದ ಫೋಲೀಸ್ ಶಾಖೆಯಲ್ಲಿ ದೂರು ದಾಖಲಿಸಿ ಆಯೋಗಕ್ಕೆ ಎಫ್.ಐ.ಆರ್.ಪ್ರತಿಯನ್ನು ಮುಂದಿನ ವಿಚಾರಣಾ ದಿನಾಂಕದೊಳಗಾಗಿ ಪ್ರಕರಣದ ಕಡತದಲ್ಲಿರುವಂತೆ ಸಲ್ಲಿಸಬೇಕೆಂದು ಹಾಗೂ ಪ್ರಕರಣದ ಮುಂದಿನ ವಿಚಾರಣೆಗೆ ಆನ್‌ಲೈನ್ ಮೂಲಕ ಹಾಜರಿರಬೇಕೆಂದು ಪ್ರತಿವಾದಿಯಾದ ಶ್ರೀ ಅಜೀಶ ಕುಮಾರ್ ರೈ ಸಾರ್ವಜನಿಕ ಮಾಹಿತಿ ಅಧಿಕಾರಿ ಹಾಗೂ ತಹಶೀಲ್ದಾರರು, ಬೆಂಗಳೂರು ಪೂರ್ವ ತಾಲ್ಲೂಕು, ಕೆ.ಆರ್.ಪುರ, ಬೆಂಗಳೂರು ರವರಿಗೆ ನಿರ್ದೇಶಿಸಿದೆ. ತಪ್ಪಿದಲ್ಲಿ ಮಾಹಿತಿ ಹಕ್ಕು ಅಧಿನಿಯಮ 2005ರ ಕಲಂ 20(1) ರಡಿಯಲ್ಲಿ ಕ್ರಮ ಕೈಗೊಳ್ಳಲಾಗುವುದೆಂದು ಎಚ್ಚರಿಕೆ ನೀಡಿದೆ".

8. Though there is no specific reference to the petitioner in the said order, the words "Hindina Peetadikarigalie", as rightly pointed out by the learned counsel for the petitioner indicate and refers only to the petitioner as he was discharging duties of a Tahsildar at the relevant point in time.



9. Under the facts and the provisions of law noted above, the order dated 04.01.2022 passed by the respondent No.1 as per Annexure-D stands quashed. Accordingly, petition is ***allowed.***

**Sd/-  
(M.G.S. KAMAL)  
JUDGE**

RL  
List No.: 1 Sl No.: 41