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V Krishna vs the State of Karnataka

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Court : Karnataka Orders

Decided On : Jul-03-2025

Judge : Jyoti Mulimani

Appeal No. : WP/26275/2024

Appellant : V Krishna

Respondent : The State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF JULY, 2025 BEFORE THE HON'BLE MS. JUSTICE JYOTI MULIMANI WRIT PETITION NO. 26275 OF 2024 (GM-KEB) BETWEEN: V.KRISHNA S/O LATE.VENKATARAMANAPPA, AGED ABOUT 54 YEARS, RESIDING AT NO.12, 1ST MAIN ROAD, 'D' CROSS, KUVEMPU NAGAR, NEW GUDDADAHALLI, MYSORE ROAD, BENGALURU-560 026. PETITIONER (BY SRI. JAYASIMHA.K.P., ADVOCATE) AND:

1. THE STATE OF KARNATAKA

PRINCIPAL SECRETARY, Digitally signed by ENERGY DEPARTMENT, PREMCHANDRA M R VIKASA SOUDA, BENGALURU-560 001. Location: HIGH COURT OF KARNATAKA 2. MANAGING DIRECTOR, BESCOM, K.R.CIRCLE, BANGALORE-1.

3. THE ASSISTANT EXECUTIVE ENGINEER, K-4, SUB-DIVISION, BESCOM, R.R. LAYOUT, NAGADEVANAHALLI, BANGALORE-560 056.

4. SRI. BHARANI.S.ANAND S/O SHANMUGANANDA, AGED ABOUT 28 YEARS, -2- BY GPA HOLDER SMT.T.SHYAMALA.

5. SMT. T.SHYAMALA W/O SHANMUGANANDA, AGED ABOUT 55 YEARS, ALL ARE RESIDING AT NO.54, 8TH MAIN ROAD, MAHAGANAPATHI NAGARA, 6TH PHASE, CHORD ROAD, 'EAST' 1ST STAGE, BENGALURU-560 044. RESPONDENTS

(BY SRI. RAJAKUMAR.M., AGA FOR R1; SRI. H.V.DEVARAJU., ADVOCATE FOR R2 & 3; SRI. M.D.RAGHUNATH., ADVOCATE FOR R4 & 5) THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN RELIEFS. THIS WRIT PETITION IS LISTED FOR ORDERS, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.Jayasimha.K.P., counsel for the petitioner, Sri.Rajakumar.M., AGA for respondent No.1, Sri.H.V.Devaraju., counsel for respondents 2 and 3 and Sri.M.D.Raghunath., counsel for respondents 4 and 5 have appeared in person.

2. Though the petition is listed today for orders, with the consent of counsel for the respective parties, it is heard. -3-

3. Counsel for the respective parties urged several contentions. Heard the arguments and perused the Writ papers with care.

4. The petitioner contends that he is the absolute

owner of the property in question. On the contrary, respondents 4 and 5 also claim title over the suit property. Suffice it to note that there is a civil disputes are pending between the petitioner and respondents 4 & 5 in O.S.No.3665/2022 and O.S.No.5053/2021. The disputed question of facts cannot be adjudicated under Articles 226 and 227 of the Constitution of India. The law is well settled that the disputed questions of fact cannot be investigated under Article 226 of the Constitution of India. The grievance and the contentions of the petitioner and respondents 4 and 5 can be urged by them in the suits pending before the Trial Court. By virtue of an interim order, electricity connection is restored. Counsel Sri.M.D.Raghunath., submits that respondents 4 and 5 will take appropriate steps by filing an application seeking appropriate relief before the Trial Court. Submission is noted. -4- The BESCOM Authority shall not take steps to disconnect the power supply till the consideration of the application that would be filed by respondents 4 and 5 before the Trial Court. The petitioner shall pay the regular consumption charges.

5. With the above observations, the Writ Petition is disposed of. Sd/- (JYOTI MULIMANI) JUDGE TKN List No.: 1 Sl No.: 13

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