

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF JULY 2017

PRESENT

THE HON'BLE MR. JUSTICE H.G.RAMESH

AND

THE HON'BLE MRS. JUSTICE K.S.MUDAGAL

WRIT PETITION NO.12320/2015 (S-RES-PIL)

BETWEEN:

ABRAHAM T.J
S/O LATE JOSEPH T.A
AGED ABOUT 54 YEARS
'HIS GRACE', NO.2336
2ND 'A' CROSS, 16TH 'B' MAIN
HAL II STAGE, INDIRANAGAR
BANGALORE -560 008

...PETITIONER

(BY SRI M.S.RAJENDRA FOR
M/s HOLLA & HOLLA, ADVOCATES)

AND:

1. THE GOVERNMENT OF KARNATAKA
REPRESENTED BY ITS CHIEF SECRETARY
VIDHANA SOUDHA
BANGALORE-560 001
2. KARNATAKA PUBLIC SERVICE COMMISSION
'PARK HOUSE'
REPRESENTED BY THE CHAIRMAN
BANGALORE-560 001
3. S.R. RANGAMURTHY, MEMBER
KARNATAKA PUBLIC SERVICE COMMISSION
'PARK HOUSE'
BANGALORE - 560 001

4. DR. M. MAHADEVA, MEMBER
KARNATAKA PUBLIC SERVICE COMMISSION
'PARK HOUSE', BANGALORE - 560 001
5. DR. H.V.PARSWANATH, MEMBER
KARNATAKA PUBLIC SERVICE COMMISSION
'PARK HOUSE', BANGALORE - 560 001
6. S. DAYASHANKAR, MEMBER
KARNATAKA PUBLIC SERVICE COMMISSION
'PARK HOUSE', BANGALORE - 560 001
7. H.D. PATIL, MEMBER
KARNATAKA PUBLIC SERVICE COMMISSION
'PARK HOUSE', BANGALORE - 560 001
- RESPONDENT
NOS.3 TO 7
AMENDED
V/C/O
DATED
26.03.2015
- ...RESPONDENTS

(BY SRI A.S.PONNANNA, AAG A/W
SRI I.THARANATH POOJARY, AGA FOR R1;
SRI P.S.RAJAGOPAL, SENIOR COUNSEL FOR
SRI REUBEN JACOB, ADVOCATE FOR R2;
SRI D.N. NANJUNDA REDDY, SENIOR COUNSEL FOR
SRI NISHANTH A.V. ADVOCATE FOR R3-R7)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE STATE GOVERNMENT TO ACCORD PERMISSION/SANCTION TO PROSECUTE RESPONDENT NOS.3 TO 7 BY THE CRIMINAL INVESTIGATION DEPARTMENT (CID) ETC.

THIS WRIT PETITION COMING ON FOR PRELIMINARY HEARING, THIS DAY, **H.G.RAMESH J.**, MADE THE FOLLOWING:

ORDER

H.G.RAMESH, J. (Oral):

1. Sri A.S.Ponnanna, learned Additional Advocate General, appearing for State of Karnataka submits that the Investigating agency namely, *Criminal Investigation*

*Department (CID), Government of Karnataka, will file the final police report under Section 173 of the Code of Criminal Procedure, 1973 in respect of Crime No.28/2013 of Vidhana Soudha Police Station, Bengaluru city, expeditiously and will also approach the Hon'ble President of India for grant of *sanction* in the matter as expeditiously as possible. His submission is placed on record.*

2. It is stated that respondent No.7 is a Member of Karnataka Public Service Commission, and therefore, *sanction* is required under Section 19 of the Prevention of Corruption Act, 1988 from the Hon'ble President of India for his prosecution.

3. Having regard to the facts of the case, we direct the investigating agency to approach the Hon'ble President of India for grant of *sanction* within three months from today, and shall also take all necessary steps to file the final police report in the matter expeditiously.

4. In view of the above order, learned counsel appearing for the petitioner submits that no further order is necessary

in this matter and the writ petition may be disposed of. The writ petition is accordingly disposed of.

Petition disposed of.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

HR