HC-KAR

NC: 2026:KHC:53200
WP No. 30462 of 2026

CNR: KAHC010667862026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 30462 OF 2026 (GM-POLICE)

BETWEEN:

M/S TUMKUR GRAIN MERCHANTS
CO OP BANK LTD
ADMIN OFFICE B H ROAD
TUMKUR - 572 103
REPRESENTED BY ITS AUTHORIZED SIGNATORY
MR. RAJASHEKAR N
S/O MALLANNA GOWDA
AGED MAJOR
THE PETITIONER IS CO-OPERATIVE BANK
REGULATED BY RBI.

PETITIONER

(BY SRI. K.V. LOKESH, ADVOCATE)

AND:

1. THE DISTRICT SUPERINTENDENT OF POLICE
CHAMARAJANAGARA DIST.
CHAMARAJANAGARA - 571 313

2. THE CHAMARAJANAGARA RURAL POLICE
CHAMARAJANAGARA ROAD,
GALIPUR, UTHAVALLI, RURAL,
CHAMARAJANAGARA - 571 313

3. THE DISTRICT HEALTH OFFICER,
CHAMARAJANAGAR

NO.312, 3RD FLOOR, ADMIN OFFICE,
DOUBLE ROAD, NEAR BASAVESHWARA THEATRE
CHAMARAJANAGAR - 571 313.

RESPONDENTS

(BY SRI. HARISHA A.S., AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTIONS TO R1 TO R3 GIVE NECESSARY ASSISTANCE TO THE PETITIONER TO EXECUTE THE ORDER DATED 29.07.2026 PASSED BY HONBLE PCJ AND CJM CHAMARAJANAGAR VIDE CRL MIS NO. 163/2026 VIDE ANNEXURE-A BY CONSIDERING PETITIONERS REPRESENTATIONS DATED 17.09.2026 VIDE ANNEXURE-B & D.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present writ petition is filed seeking for the following reliefs:

"a) Issue a writ of mandamus by issuing directions to respondent No.1 to 3 give necessary assistance to the petitioner to execute the Order dated 29.07.2026 passed by Hon'ble PCJ and CJM Chamarajanagar vide CRL MIS NO.163/2026 vide Annexure-A by considering petitioners representations dated 17.09.2026 vide Annexure-A and D.

b) Grant such other relief as deemed fit to this Hon'ble Court in the facts and circumstances of the case.."

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2. The petitioner - Bank is before this Court seeking for enforcement of the order dated 29.07.2026 passed in Crl.Mis.No.163/2026 (Annexure-A to the writ petition) by the Court of the Principal Senior Civil Jude and CJM, Chamarajanagar, which has been rendered pursuant to a petition filed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002[1].

3. It is case of the petitioner that consequent to the order dated 29.07.2026, it has made a request dated 16.09.2026 (Annexures-B and D to the writ petition) to the Police Authorities as well as the Deputy Commissioner seeking for the assistance in enforcing the said order dated 29.07.2026. In this regard, learned counsel for the petitioner submits that the in a similar fact situation, a Co-ordinate Bench of this Court in the case of ***M/s Tumkur Grain Merchants Co-operative Bank Ltd., V.s The Chief Inspector of Police and Others***[2] has granted the relief. The relevant portion of the said order is as under:

[1] Hereinafter referred as to 'Act'
[2] WP.No.19849/2021 DD 09.12.2021

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> *"2. Learned AGA on request having accepted notice for the first respondent and notice to the rest is dispensed with as being unnecessary, submits that he would instruct his client to look into the grievance of the petitioner swiftly and in accordance with law. He also submits that since the property in which the security interest is created, is occupied by multiple persons, extra police force needs be deployed, and therefore the petitioner has to inform the police in advance; this is fair enough.*
>
> *In the above circumstances, this writ petition is disposed off directing the first respondent to assist the Shirastedar of the Court below in taking possession of the subject property immediately after petitioner makes the written request in that regard.*
>
> *Non-compliance of this direction may result into multiple adverse entries being made in the Service Register of the police officials concerned.*
>
> *Costs made easy."*

4. In view of the aforementioned factual matrix and the orders passed by this Court, as noted above, similar relief is to be granted in present writ petition.

5. Accordingly, the writ petition is to ***disposed of*** directing respondent Nos.1 and 2 to assist the Court Commissioner in taking possession of the property in question, consequent to the request of the petitioner dated 16.09.2026 (Annexures-B and D to the writ petition) forthwith, in any event not later than two weeks from the date of receipt of a copy of this order.

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6. Pending IAs., if any, stand disposed of.

Digitally Signed by CHEPPUDIRA MONNAPPA POONACHA

(C.M. POONACHA)
JUDGE

PNV
List No.: 1 Sl No.: 19