

KARNATAKA LOKAYUKTA

No.Compt/Uplok/BGM-2140/2016/ARE-6

M.S. Building,
Dr. B.R. Ambedkar Veedhi,
Bangalore, Dt. 17/02/2017.**REPORT UNDER SECTION 12(1) OF
KARNATAKA LOKAYUKTA ACT, 1984**

Sub: Complaint filed by Sri. Anant Narayan Bhat –
Sidepal, Behind LIC Office, Beside
Kotekariyavva Temple, Yellapur, Uttara
Kannada District - reg.

On the basis of a complaint filed by Sri. Anant Narayan Bhat – Sidepal, Behind LIC Office, Beside Kotekariyavva Temple, Yellapur, Uttara Kannada District (hereinafter referred as 'complainant'), against Sri. K.B.Teerth Prasad – Chief Officer in Town Panchayath of Yellapur in North Canara, Uttara Kannda District, investigation was taken up u/S 9 of the Karnataka Lokayukta Act, 1984.

(2) Brief facts of the case:-

It is alleged that despite directions issued by DC vide letter 26/07/2016 the respondent intentionally has not taken steps to remove the encroachment of road noticed during survey and by adopting delay tactics has accommodated encroachers to approach civil court and obtain prohibitory orders.

3. Respondent has submitted comments denying inaction to help encroachers. According to respondent, the road in question runs in Sy.Nos.80,79,78,74,73,72,70,49 A1 and 48. The owners of properties who have encroached road have filed suits in civil court and they are pending. The complainant has filed O.S.46/2015



against Pattana Panchayath and others and it is pending (copy enclosed) and has obtained a prohibitory order. In regard to directions issued by DC compliance report dated 20/09/2016 was submitted to DC, reporting regarding OS 63/2016 filed by Sri.Francis and Mimim Fernandis and obtaining prohibitory order against notice dated 22/08/2016 issued. Since the judgement in the suits filed by persons against whom notices are issued will be binding on the parties, the allegation of complainant cannot be entertained.

5. Rejoinder is called for from the complainant and he has submitted his rejoinder.
6. The records reveal that O.S. 46/2015 and O.S.No.63/2016 are pending against Chief Officer.
7. In the above circumstances, this report is made under Section 12(1) of the Karnataka Lokayukta Act, to the competent authority to:-

“take steps to clear the encroachment of road by the owners of the properties situated in Sy.Nos. 80,79,78,74,73,72,70,49/A1 and 48 in the limits of Yellapur Pattan Panchayath and also to take steps to contest the case filed by the encroachers in civil court at Yellapur against the Pattan Panchayath Yellapur”.

8. Further, as per Section 12(2) of Karnataka Lokayukta Act, 1984, the Competent Authority shall intimate the action taken or proposed to be taken on this report.

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Copies of connected records are enclosed.

N. Ananda
(Justice N.ANANDA) 19/2
Upalokayukta,
State of Karnataka.

