

KARNATAKA LOKAYUKTA

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No.Compt:Uplok:GLB-715/2017/ARE-5

M.S.Building,
Dr.B.R.Ambedkar Road,
Bangalore,
dt: 12.07.2017.

**REPORT U/S 12(1) OF THE KARNATAKA LOKAYUKTA ACT,
1984**

Sub: For taking action to clear the
encroachment over road in
Ward No.12, Tippu Sulthan Colony,
Sindhanur in accordance with law-reg.

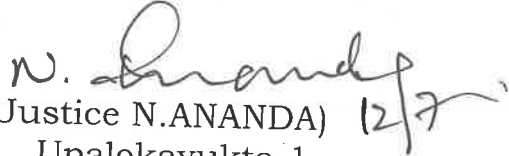
Complainant Sri.B.Nagaraj Gowda Singapura s/o Basana
Gowda, Social Worker, Ward No.12, Tippu Sulthan Colony,
Sindhanur Taluk, Raichur District has filed complaint against
(1)Ramesh Vatagal, Commissioner, CMC, Sindhanur,
(2)Shamala, AEE, CMC, Sindhanur and (3)Narayan, Sub
Registrar, Sindhanur Taluk (hereinafter referred to as
Respondent Nos.1 to 3 respectively) alleging that one Noor
Ahmad has purchased plot No.49 measuring 40 x 15 formed in
Sy.No.966 of Sindhanur from Sri.Meer Sab. Later on
31.12.2016 Meerasab has obtained rectification deed from his
vendor mentioning the measurement as 40 x 42 feet and
Sri.Noor Ahmad has obtained rectification deed on 31.12.2016
from Meerasab showing the measurement as 40' x 42'. On the

12(1)
4 basis of rectification deed, Noor Ahamed is constructing building on public road.

2. Respondent No.1 has submitted comments stating that Notice dt: 29.12.2016 has been served on Noor Ahamed to clear the encroachment over the road. Thereafter Noor Ahamed has obtained rectification deed and he submitted reply for notice stating that he has not encroached on the road and he has constructed drain and steps in his own land out of his own money and there is no road on eastern and western side of his property. Again notice dt:7.2.2107 has been issued to Noor Ahamed to clear the encroachment. Noor Ahmed has filed O.S.No.55/2017 and OS -91/2017 and written statement has been filed in the said suits and the court has ordered for maintaining statusquo and action will be taken after disposal of suits.
3. In O.S.No.55/2017 filed against Noor Mohammed and others T.I. is granted on 2.2.2017 restraining Noor Mohammed from causing obstruction for the use of the road. No order of status quo said to have been passed in O.S. 91/2017 filed by Noor Mohammed against CMC has been produced.
4. In view of the above, there is no impediment to clear the encroachment over the road in question. But, no action is

taken to clear the encroachment over the road. Since no action is taken to clear the public road by the concerned, this report is made under Section 12(1) of the Karnataka Lokayukta Act to the Government to direct the concerned Competent Authorities to take action to clear the encroachment over road in accordance with law.

5. The Competent Authority shall take steps to implement this report within a period of one month from the date of this report and shall submit action taken report in this regard as provided under Section 12(2) of the Karnataka Lokayukta Act.


(Justice N. ANANDA) 12/7
Upalokayukta-1,
KARNATAKA STATE,
BENGALURU.

