

## KARNATAKA LOKAYUKTA

No: UPLOK-1/DE/191/2022/ARE-17

M.S.Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru - 560 001.  
Dated: 18/01/2023

### ENQUIRY REPORT

**Present :** Rajakumar S. Amminabhavi  
Addl. Registrar of Enquiries-17,  
Karnataka Lokayukta,  
Bengaluru.

**Sub:-**The departmental enquiry against Sri Lakshminarayana, Sub-Registrar, Sub-Registrar Office, Putturu, Dakshina Kannada District, presently working as Sub-Registrar, Sub-Registrar Office, Ballari District - reg.

- Ref:-** 1) Government Order No. KamEe 04 MuNo Se(2) 2022, Bengaluru dated 22/07/2022.
- 2) Nomination Order No: Uplok-1/DE/191/2022 Bengaluru, Dated 29/07/2022 of Hon'ble Upalokayukta-1, State of Karnataka, Bengaluru.

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The Departmental Enquiry is initiated against the DGO on the basis of the complaint lodged by one Sri Chandrashekar Gowda, S/o Anthappa Gowda, Kundagola Mane, Bilipadi Village, Puttur Taluk (herein after referred as 'Complainant') against Sri Lakshminarayana, Sub-Registrar, Sub-Registrar Office, Putturu, Dakshina Kannada District, presently working

as Sub-Registrar, Sub-Registrar Office, Ballari District (herein after referred to as the Delinquent Government Official in short 'DGO') who lodged a complaint before Karnataka Lokayukta that was taken up for investigation u/s 9 of Karnataka Lokayukta Act, 1984.

2. Brief allegations made in the complaint are that:-

The brief averments of the complaint are that, the land bearing Sy.No. 37/1A1A3A1A32 as per RTC 37/1A 1A3A1A13 measuring 0.11 cents and Sy.No.180/1A3 measuring 0.10 cents of Chikkamudluru Village which comes under jurisdiction of Puttur City Municipal Corporation pertaining to these land TI order was passed by the Hon'ble Principal Senior Civil Judge and ACJM Court Puttur in O.S. No. 29/2021 not to alienate the said schedule-A and 'B' properties against defendant i.e., wife of the complainant Vijayalakshmi. Then the said Temporary Injunction order passed by the aforesaid court and the legal notice issued by the counsel for the complainant by RPAD was duly served upon the DGO. Then, the DGO knowing fully about the suit filed by the complainant, Temporary Injunction order passed by the Hon'ble court he has registered the above mentioned schedule-A, 0.11 cents of land which results in dereliction of duty on the part of the DGO.

3. Therefore, after assessing all the records and reports, the Hon'ble Upalokayukta have arrived at a conclusion that, the DGO has committed misconduct as per rule 3(i) to

(iii) of KCSR (CCA) Rules, 1966. So, acting u/s 12(3) of Karnataka Lokayukta Act, 1984, recommended to the Competent Authority to initiate proceedings u/s 14-A of KCS and CCA Rules 1957 for initiating disciplinary proceedings against the respondent-DGO (Sri Lakshminarayana, Sub-Registrar, Sub-Registrar Office, Putturu, Dakshina Kannada District, presently working as Sub-Registrar, Sub-Registrar Office, Ballari District) and to entrust the departmental inquiry to this authority under Rule 14-A of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

4. In view of Government Order cited at reference No.1 the Hon'ble Upalokayukta-1 vide Order cited at reference No.2 has nominated Additional Registrar Enquiries-17 to frame Articles of Charge and to conduct enquiry against aforesaid DGO.
5. On the basis of the nomination, Article of Charge was prepared under Rule 11(3) of the KCS (CCA) Rules and was sent to the DGOs which is as follows;

ಅನುಬಂಧ-1  
ದೋಷಾರೋಪಣೆ ಪಟ್ಟಿ

1. ದೂರುದಾರರಾದ ಶ್ರೀ ಚಂದ್ರಶೇಖರಗೌಡ ಬಿನ್ ಅಂತಪ್ಪಗೌಡ, ಮಾಜಿ ಸೈನಿಕ, ಬೆಳ್ಳಿಪಾಡಿ ಗ್ರಾಮ, ಪುತ್ತೂರು ತಾಲ್ಲೂಕು ದ.ಕ. ಜಿಲ್ಲೆ (ಇನ್ನು ಮುಂದೆ ದೂರುದಾರರು ಎಂದು ಕರೆಯಲ್ಪಡುತ್ತಾರೆ) ಇವರು ಆ.ಸ.ನೌ.ರಾದ ಶ್ರೀ. ಪಿ. ಲಕ್ಷ್ಮೀನಾರಾಯಣ, ಉಪ ನೋಂದಣಾಧಿಕಾರಿ, ಪುತ್ತೂರು ಉಪ ನೋಂದಣಾಧಿಕಾರಿಗಳ ಕಚೇರಿ, ಪುತ್ತೂರು, ದ.ಕ. ಜಿಲ್ಲೆ ನೀವು ಪುತ್ತೂರು ನಗರಸಭೆ ವ್ಯಾಪ್ತಿಯ ಚಿಕ್ಕಮೂಡೂರು ಗ್ರಾಮದ ಸ.ನಂ.37/1ಎ1ಎ3ಎ1ಎ32

ಪಹಣಿ ಪ್ರಕಾರ 37/1ಎ1ಎ3ಎ1ಎ13 ವಿಸ್ತೀರ್ಣ 0.11 ಸೆಂಟ್ಸ್ ಹಾಗೂ ಸ.ನಂ.180/1ಎ3 ವಿಸ್ತೀರ್ಣ 0.10 ಸೆಂಟ್ಸ್ ಆಸ್ತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಪುತ್ತೂರು ಪ್ರಧಾನ ಸಿವಿಲ್ ನ್ಯಾಯಾಲಯ ಮತ್ತು ಜೆ.ಎಂ.ಎಫ್.ಸಿ. ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಓ.ಎಸ್.ನಂ.29/2021ರಂತೆ ದೂರುದಾರರು ತಮ್ಮ ಹೆಂಡತಿ ಶ್ರೀಮತಿ. ವಿಜಯಲಕ್ಷ್ಮೀ ರವರ ವಿರುದ್ಧ ದಾವೆಯನ್ನು ಸಲ್ಲಿಸಿದ್ದರು, ಸದರಿ ದಾವೆಯಲ್ಲಿ ಸದರಿ ಆಸ್ತಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಯಾವುದೇ ರೀತಿಯ ಪರಭಾರೆ ಮಾಡದಂತೆ ತಾತ್ಕಾಲಿಕ ತಡೆಯಾಜ್ಞೆಯನ್ನು ದಿನಾಂಕ: 09/06/2021ರಂದು ನ್ಯಾಯಾಲಯವು ನೀಡಿರುತ್ತದೆ. ಈ ವಿಚಾರ ನಿಮ್ಮ ಗಮನಕ್ಕೆ ಬಂದಿದ್ದರೂ ಸಹಾ, ದೂರುದಾರರ ಹೆಂಡತಿಯ ಜೊತೆ ಶಾಮೀಲಾಗಿ ಸ.ನಂ.37/1ಎ1ಎ3ಎ1ಎ32 ಪಹಣಿ ಪ್ರಕಾರ 37/1ಎ1ಎ3ಎ1ಎ13 ವಿಸ್ತೀರ್ಣ 0.11 ಸೆಂಟ್ಸ್ ಸ್ವತ್ತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ದಿನಾಂಕ: 12/08/2021ರಂದು ಕ್ರಯ ಪತ್ರ ನೊಂದಣಿ ಮಾಡಿರುತ್ತೀರಿ ಹಾಗೂ ಇನ್ನೊಂದು ಆಸ್ತಿಯ ಕುರಿತು ದೂರುದಾರರ ಹೆಂಡತಿಯು ಪರಭಾರೆ ಮಾಡಲು ಪ್ರಯತ್ನಿಸುತ್ತಿದ್ದಾರೆ. ಮೇಲ್ಕಂಡ ಆಸ್ತಿಗಳ ಕುರಿತು ಯಾವುದೇ ರೀತಿಯ ಪರಭಾರೆ ಮಾಡಬಾರದು ಎಂದು ಆದೇಶವಿದ್ದರೂ ಸಹಾ ನೀವು ದಿನಾಂಕ: 12/08/2021ರಂದು ಈ ಮೇಲಿನ 0.11 ಸೆಂಟ್ಸ್ ಸ್ವತ್ತಿನ ಕ್ರಯ ಪತ್ರ ನೊಂದಣಿ ಮಾಡಿ, ಕರ್ತವ್ಯಲೋಪ ಎಸಗಿರುತ್ತೀರಿ.

ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರಾದ ನೀವು ಸರ್ಕಾರಿ ಸೇವಕರಾಗಿದ್ದು, ನಿಮ್ಮ ಕರ್ತವ್ಯಪಾಲನೆಯಲ್ಲಿ ಪರಿಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ, ಸಂಪೂರ್ಣ ಕರ್ತವ್ಯ ನಿಷ್ಠೆಯನ್ನು ತೋರಿಸದೆ ಸ್ವಂತ ಲಾಭಕ್ಕಾಗಿ ಸಾರ್ವಜನಿಕ ಸೇವಕರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿದ್ದು, ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರಾದ ನೀವು ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ಸೇವಾ (ನಡತೆ) ನಿಯಮಾವಳಿ 1966ರ ನಿಯಮ 3 (1) (i) (ii) & (iii)ನೇ ನಿಬಂಧನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ.

### ಅನುಬಂಧ-2

#### ದೋಷಾರೋಪಣೆಯ ವಿವರ

2. ದೂರುದಾರರು (ಶ್ರೀ ಚಂದ್ರಶೇಖರಗೌಡ ಬಿನ್ ಅಂತಪ್ಪಗೌಡ), ಮಾಜಿ ಸೈನಿಕ, ಬೆಳ್ಳಿಪಾಡಿ ಗ್ರಾಮ, ಪುತ್ತೂರು ತಾಲ್ಲೂಕು ದ.ಕ. ಜಿಲ್ಲೆ ರವರು ಈ ದೂರನ್ನು (ಶ್ರೀ. ಪಿ. ಲಕ್ಷ್ಮೀನಾರಾಯಣ), ಉಪನೋಂದಣಾಧಿಕಾರಿ, ಪುತ್ತೂರು ಉಪನೋಂದಣಾಧಿಕಾರಿಗಳ ಕಚೇರಿ, ಪುತ್ತೂರು, ದ.ಕ. ಜಿಲ್ಲೆ ರವರ ವಿರುದ್ಧ ದಾವಿಲಿಸಿ ಪುತ್ತೂರು ನಗರಸಭೆ ವ್ಯಾಪ್ತಿಯ ಚಿಕ್ಕಮೂಡೂರು ಗ್ರಾಮದ

ಸ.ನಂ.37/1ಎ1ಎ3ಎ1ಎ32 ಪಹಣಿ ಪ್ರಕಾರ 37/1ಎ1ಎ3ಎ1ಎ3 ವಿಸ್ತೀರ್ಣ 0.11 ಸೆಂಟ್ಸ್ ಹಾಗೂ ಸ.ನಂ.180/1ಎ3 ವಿಸ್ತೀರ್ಣ 0.10 ಸೆಂಟ್ಸ್ ಆಸ್ತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಪುತ್ತೂರು ಪ್ರಧಾನ ಸಿರಿಯ ಶ್ರೇಣಿ ಸಿವಿಲ್ ನ್ಯಾಯಾಲಯ ಮತ್ತು (ಎ.ಸಿ.ಜೆ.ಎಂ.) ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಓ.ಎಸ್.ನಂ.29/2021ರಂತೆ ದೂರುದಾರರು ತಮ್ಮ ಹೆಂಡತಿ ಶ್ರೀಮತಿ. ವಿಜಯಲಕ್ಷ್ಮೀ ರವರ ವಿರುದ್ಧ ದಾವೆಯನ್ನು ಸಲ್ಲಿಸಿದ್ದರು, ಸದರಿ ದಾವೆಯಲ್ಲಿ ಸದರಿ ಆಸ್ತಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಯಾವುದೇ ರೀತಿಯ ಪರಭಾರೆ ಮಾಡದಂತೆ ತಾತ್ಕಾಲಿಕ ತಡೆಯಾಜ್ಞೆಯನ್ನು ದಿನಾಂಕ: 09/06/2021ರಂದು ನ್ಯಾಯಾಲಯವು ನೀಡಿರುತ್ತದೆ. ಈ ವಿಚಾರ ಎದುರುದಾರರ ಗಮನಕ್ಕೆ ಬಂದಿದ್ದರೂ ಸಹಾ, ತನ್ನ ಹೆಂಡತಿಯ ಜೊತೆ ಶಾಮೀಲಾಗಿ ಸ.ನಂ.37/1ಎ1ಎ3ಎ1ಎ32 ಪಹಣಿ ಪ್ರಕಾರ 37/1ಎ1ಎ3ಎ1ಎ3 ವಿಸ್ತೀರ್ಣ 0.11 ಸೆಂಟ್ಸ್ ಸ್ವತ್ತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ದಿನಾಂಕ: 12/08/2021 ರಂದು ಕ್ರಯ ಪತ್ರ ನೊಂದಣಿ ಮಾಡಿರುತ್ತಾರೆ ಹಾಗೂ ಇನ್ನೊಂದು ಆಸ್ತಿಯ ಕುರಿತು ತನ್ನ ಹೆಂಡತಿಯು ಪರಭಾರೆ ಮಾಡಲು ಪ್ರಯತ್ನಿಸುತ್ತಿದ್ದಾರೆ. ಮೇಲ್ಕಂಡ ಆಸ್ತಿಗಳ ಕುರಿತು ಯಾವುದೇ ರೀತಿಯ ಪರಭಾರೆ ಮಾಡಬಾರದು ಎಂದು ಆದೇಶವಿದ್ದರೂ ಸಹಾ ಎದುರುದಾರರು ಕ್ರಯ ಪತ್ರ ನೊಂದಣಿ ಮಾಡಿ, ಕರ್ತವ್ಯಲೋಪ ಎಸಗಿರುತ್ತಾರೆ. ಈ ಕುರಿತು ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಕಾಯ್ದೆ 1984 ರ ಕಲಂ 9 ರಡಿಯಲ್ಲಿ ಪ್ರದತ್ತವಿರುವ ಅಧಿಕಾರ ಚಲಾಯಿಸಿ ವಿಚಾರಣೆಗೆ ತೆಗೆದುಕೊಂಡು ತನಿಖೆ ಮಾಡಿದೆ.

3. ದೂರಿನ ಜೊತೆಗೆ ಓ.ಎಸ್. ನಂ.29/2021ರ ಆದೇಶದ ಪ್ರತಿ ಹಾಗೂ ಕ್ರಯ ಪತ್ರದ ಪ್ರತಿಯನ್ನು ಹಾಜರುಪಡಿಸಿರುತ್ತಾರೆ.
4. ಎದುರುದಾರರ ಆಕ್ಷೇಪಣೆ ಕೋರಲಾಗಿ, ಎದುರುದಾರರು ಸಲ್ಲಿಸಿರುವ ಆಕ್ಷೇಪಣೆಯಲ್ಲಿ, ದೂರುದಾರರು ತಮ್ಮ ಪತ್ನಿ ಶ್ರೀಮತಿ ವಿಜಯಲಕ್ಷ್ಮೀ ರವರ ವಿರುದ್ಧ ಓ.ಎಸ್. ನಂ.29/2021 ರಂತೆ ಪ್ರಧಾನ ಹಿರಿಯ ಸಿವಿಲ್ ಜಡ್ಜ್ ಮತ್ತು ಎ.ಸಿ.ಜೆ.ಎಂ. ಪುತ್ತೂರು ನ್ಯಾಯಾಲಯದಲ್ಲಿ ದಾಖಲು ಮಾಡಿರುವ ಪ್ರಕರಣದಲ್ಲಿ ದೂರುದಾರರು ಪುತ್ತೂರು ಉಪನೋಂದಣಾಧಿಕಾರಿಗಳನ್ನು ಪಕ್ಷಗಾರರನ್ನಾಗಿ ಮಾಡಿರುವುದಿಲ್ಲ ಹಾಗೂ ಸದರಿ ನ್ಯಾಯಾಲಯದ ಆದೇಶದಲ್ಲಿ ಪುತ್ತೂರು ಉಪನೋಂದಣಾಧಿಕಾರಿಗಳು ಸ್ವತ್ತಿನ ಕುರಿತು ನೊಂದಣಿ ತಡೆ ಹಿಡಿಯುವಂತೆ ನಿರ್ದೇಶನ ನೀಡಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ, ಸದರಿ ಸ್ವತ್ತಿನ ಕುರಿತು ನೊಂದಣಿ ಮಾಡುವಲ್ಲಿ ಉಪನೋಂದಣಾಧಿಕಾರಿಗಳ ಸ್ವಹಿತಾಸಕ್ತಿ ಇರುವುದಿಲ್ಲ.

ನಿಯಮಾನುಸಾರ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸಿರುತ್ತೇನೆ. ಆದ್ದರಿಂದ ಪ್ರಕರಣದಿಂದ ಕೈಬಿಡುವಂತೆ ಕೋರಿರುತ್ತಾರೆ.

5. ಎದುರುದಾರರ ಆಕ್ಷೇಪಣೆಯ ಮೇಲೆ ದೂರುದಾರರ ಪ್ರತ್ಯುತ್ತರವನ್ನು ಕೇಳಲಾಗಿ, ದೂರುದಾರರು ದಿನಾಂಕ: 20/01/2022ರಂದು ಸಲ್ಲಿಸಿರುವ ಪ್ರತ್ಯುತ್ತರದಲ್ಲಿ, ತಾನು ದಾಖಲು ಮಾಡಿರುವ ಓ.ಎಸ್. ನಂ. 29/2021 ದಾವೆಯಲ್ಲಿ ಎದುರುದಾರರಾದ ಉಪನೋಂದಣಾಧಿಕಾರಿ, ಪುತ್ತೂರು ರವರನ್ನು ಪಕ್ಷಗಾರರನ್ನಾಗಿ ಮಾಡುವ ಅವಶ್ಯಕತೆ ಇರುವುದಿಲ್ಲ. ಎದುರುದಾರರು ನ್ಯಾಯಾಲಯದ ಆದೇಶವಿದ್ದರಿಂದ ಸ್ವತ್ತಿನ ಕ್ರಯ ಪತ್ರವನ್ನು ನೋಂದಣಿ ಮಾಡಿರುವುದರಿಂದ ಎದುರುದಾರರ ವಿರುದ್ಧ ಕ್ರಮ ಜರುಗಿಸುವಂತೆ ಕೋರಿರುತ್ತಾರೆ.

6. ದೂರಿನ ಅಂಶಗಳು, ಎದುರುದಾರರ ಆಕ್ಷೇಪಣೆ, ದೂರುದಾರರ ಪ್ರತ್ಯುತ್ತರ ಹಾಗೂ ಲಭ್ಯವಿರುವ ದಾಖಲೆಗಳನ್ನು ಪರಿಶೀಲಿಸಿ ನೋಡಲಾಗಿ, ಪುತ್ತೂರು ನಗರಸಭೆ ವ್ಯಾಪ್ತಿಯ ಚಿಕ್ಕಮೂಡೂರು ಗ್ರಾಮದ ಸ.ನಂ.37/1ಎ1ಎ3ಎಎ1ಎ32 ಪಹಣಿ ಪ್ರಕಾರ 37/1ಎ1ಎ3ಎಎ1ಎ32 ವಿಸ್ತೀರ್ಣ 0.11 ಸೆಂಟ್ಸ್ ಹಾಗೂ ಸ.ನಂ.180/1ಎ3 ವಿಸ್ತೀರ್ಣ 0.10 ಸೆಂಟ್ಸ್ ಆಸ್ತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಪುತ್ತೂರು ಪ್ರಧಾನ ಹಿರಿಯ ಶ್ರೇಣಿ ಸಿವಿಲ್ ನ್ಯಾಯಾಲಯ ಮತ್ತು ಎ.ಸಿ.ಜಿ.ಎಂ. ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಓ.ಎಸ್. ನಂ.29/2021ರಂತೆ ತನ್ನ ಹೆಂಡತಿ ಶ್ರೀಮತಿ ವಿಜಯಲಕ್ಷ್ಮೀ ರವರ ವಿರುದ್ಧ ದಾವೆಯನ್ನು ಸಲ್ಲಿಸಿದ್ದರು, ಸದರಿ ದಾವೆಯಲ್ಲಿ ಸದರಿ ಆಸ್ತಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಯಾವುದೇ ರೀತಿಯ ಪರಭಾರೆ ಮಾಡದಂತೆ ತಾತ್ಕಾಲಿಕ ತಡೆಯಾಜ್ಞೆಯನ್ನು ದಿನಾಂಕ: 09/06/2021ರಂದು ನ್ಯಾಯಾಲಯವು ಮಂಜೂರು ಮಾಡಿರುತ್ತದೆ. ಈ ವಿಚಾರ ಎದುರುದಾರರ ಗಮನಕ್ಕೆ ಬಂದಿದ್ದರೂ ಸಹಾ, ತನ್ನ ಹೆಂಡತಿಯ ಜೊತೆ ಶಾಮೀಲಾಗಿ ಸ.ನಂ.37/1ಎ1ಎ3ಎಎ1ಎ32 ಪಹಣಿ ಪ್ರಕಾರ 37/1ಎ1ಎ3ಎಎ1ಎ32 ವಿಸ್ತೀರ್ಣ 0.11 ಸೆಂಟ್ಸ್ ಸ್ವತ್ತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ದಿನಾಂಕ: 12/08/2021ರಂದು ಕ್ರಯ ಪತ್ರ ನೋಂದಣಿ ಮಾಡಿರುತ್ತಾರೆ ಹಾಗೂ ಇನ್ನೊಂದು ಆಸ್ತಿಯ ಕುರಿತು ತನ್ನ ಹೆಂಡತಿಯು ಪರಭಾರೆ ಮಾಡಲು ಪ್ರಯತ್ನಿಸುತ್ತಿದ್ದಾರೆ. ಮೇಲ್ಕಂಡ ಆಸ್ತಿಗಳ ಕುರಿತು ಯಾವುದೇ ರೀತಿಯ ಪರಭಾರೆ ಮಾಡಬಾರದು ಎಂದು ಆದೇಶವಿದ್ದರೂ ಸಹಾ ಎದುರುದಾರರು ಕ್ರಯ ಪತ್ರ ನೋಂದಣಿ ಮಾಡಿ, ಕರ್ತವ್ಯಲೋಪ ಎಸಗಿರುತ್ತಾರೆ ಎಂಬುದು ದೂರುದಾರರ ಆರೋಪವಾಗಿದೆ.

7. ಸದರಿ ಪ್ರಕರಣದಲ್ಲಿ ಲಭ್ಯವಿರುವ ದಾಖಲೆಗಳು ಹಾಗೂ ದೂರಿನ ಅಂಶಗಳನ್ನು ಗಣನೆಗೆ ತೆಗೆದುಕೊಂಡಾಗ ದೂರುದಾರರು ಸ.ನಂ.37/1ಎ1ಎ3ಎಎ1ಎ32 ಪಹಣಿ

ಪ್ರಕಾರ 37/1ಎ1ಎ3ಎ1ಎ1ಎ13 ವಿಸ್ತೀರ್ಣ 0.11 ಸೆಂಟ್ಸ್ ಹಾಗೂ ಸ.ನಂ.180/1ಎ3 ವಿಸ್ತೀರ್ಣ 0.10 ಸೆಂಟ್ಸ್ ಆಸ್ತಿಗಳ ಕುರಿತು ಮಾಲೀಕತ್ವ ಘೋಷಣೆ ಹಾಗೂ ಶಾಶ್ವತ ನಿರ್ಬಂಧಕಾಜ್ಞೆ ಪರಿಹಾರ ಕೋರಿ, ಪ್ರಧಾನ ಹಿರಿಯ ಸಿವಿಲ್ ಜಡ್ಜ್ ಮತ್ತು ಎ.ಸಿ.ಜೆ.ಎಂ. ಪುತ್ತೂರು ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಓ.ಎಸ್. ನಂ.29/2021ರಂತೆ ದಾವೆಯನ್ನು ದೂರುದಾರರು ಅವರ ಪತ್ನಿ ಶ್ರೀಮತಿ ವಿಜಯಲಕ್ಷ್ಮೀ ರವರ ವಿರುದ್ಧ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ಸದರಿ ದಾವೆಯಲ್ಲಿ ದಿನಾಂಕ: 09/06/2021ರಂದು ಪ್ರತಿವಾದಿ (ಶ್ರೀಮತಿ ವಿಜಯಲಕ್ಷ್ಮಿ) ಮೇಲ್ಕಂಡ ಆಸ್ತಿಯ ಕುರಿತು ಯಾವುದೇ ರೀತಿಯ ಪರಭಾರೆ ಅಥವಾ ಹಸ್ತಾಂತರ ಮಾಡಬಾರದು ಎಂದು ತಾತ್ಕಾಲಿಕ ನಿರ್ಬಂಧಕಾಜ್ಞೆ ಮಂಜೂರು ಮಾಡಿರುವುದು ಕಂಡುಬರುತ್ತದೆ.

8. ದೂರುದಾರರು ಪ್ರಧಾನ ಹಿರಿಯ ಸಿವಿಲ್ ಜಡ್ಜ್ ಮತ್ತು ಎ.ಸಿ.ಜೆ.ಎಂ. ಪುತ್ತೂರು ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಓ.ಎಸ್.ನಂ. 29/2021ರ ದಾವೆಯಲ್ಲಿ ನ್ಯಾಯಾಲಯ ಮಂಜೂರು ಮಾಡಿರುವ ತಾತ್ಕಾಲಿಕ ನಿರ್ಬಂಧಕಾಜ್ಞೆ ಆದೇಶದ ಕುರಿತು ಎದುರುದಾರರಿಗೆ ದಿ: 22/06/2021 ರಂದು ವಕೀಲರ ಮುಖಾಂತರ ಕಳುಹಿಸಿರುವ ಲೀಗಲ್ ನೋಟೀಸನ್ನು ಎದುರುದಾರರ ಕಚೇರಿಯಲ್ಲಿ ದಿ: 23/02/2021 ರಂದು ಸ್ವೀಕರಿಸಿರುವುದು ಕಂಡುಬರುತ್ತದೆ. ಹೀಗಿದ್ದರೂ ಸಹಾ, ದೂರುದಾರರ ಪತ್ನಿ ಶ್ರೀಮತಿ ವಿಜಯಲಕ್ಷ್ಮಿ ರವರು ಸ.ನಂ. 37/1ಎ1ಎ3ಎ1ಎ32, 0.11 ಸೆಂಟ್ಸ್ ಆಸ್ತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಹಾಜರುಪಡಿಸಿರುವ ಕ್ರಯ ಪತ್ರವನ್ನು ಎದುರುದಾರರು ದಿ: 12/08/2021 ರಂದು ನೋಂದಣಿ ಮಾಡಿರುತ್ತಾರೆ. ಸದರಿ ಪ್ರಕರಣದಲ್ಲಿ ಮೇಲ್ಕಂಡ ವಿವಾದಿತ ಆಸ್ತಿಗಳ ಕುರಿತು ಯಾವುದೇ ರೀತಿಯ ಪರಭಾರೆ ಅಥವಾ ಹಸ್ತಾಂತರ ಮಾಡಬಾರದು ಎಂದು ನ್ಯಾಯಾಲಯ ಮಂಜೂರು ಮಾಡಿರುವ ತಾತ್ಕಾಲಿಕ ನಿರ್ಬಂಧಕಾಜ್ಞೆ ಆದೇಶದ ಕುರಿತು ಎದುರುದಾರರ ಗಮನಕ್ಕೆ ಬಂದಿದ್ದರೂ ಸಹಾ, ಎದುರುದಾರರು ನ್ಯಾಯಾಲಯದ ಆದೇಶಕ್ಕೆ ಗೌರವ ನೀಡದೆ ಕ್ರಯ ಪತ್ರವನ್ನು ನೋಂದಣಿ ಮಾಡಿರುವುದು ಕಂಡುಬರುತ್ತದೆ.

9. ಎದುರುದಾರರು ತಮ್ಮ ಆಕ್ಷೇಪಣೆಯಲ್ಲಿ ಓ.ಎಸ್.ನಂ. 29/2021ರ ದಾವೆಯಲ್ಲಿ ನಾನು ಪಕ್ಷಗಾರನಾಗಿರುವುದಿಲ್ಲ ಹಾಗೂ ತನ್ನ ವಿರುದ್ಧ ನ್ಯಾಯಾಲಯದಿಂದ ಯಾವುದೇ ಸ್ಪಷ್ಟ ಆದೇಶವಿರುವುದಿಲ್ಲ ಎಂಬುದು ಎದುರುದಾರರ ತಕರಾರು ಆಗಿರುತ್ತದೆ. ಆದರೆ, ನ್ಯಾಯಾಲಯವು ಓ.ಎಸ್.ನಂ. 29/2021ರ ದಾವೆಯಲ್ಲಿ ಮಾಡಿರುವ ಆದೇಶದಲ್ಲಿ ಸ.ನಂ. 37/1ಎ1ಎ3ಎ1ಎ32 ಪಹಣಿ ಪ್ರಕಾರ 37/1ಎ1ಎ3ಎ1ಎ13 ವಿಸ್ತೀರ್ಣ 0.11 ಸೆಂಟ್ಸ್ ಹಾಗೂ ಸ.ನಂ. 180/1ಎ3 ವಿಸ್ತೀರ್ಣ

0.10 ಸೇಂಟ್ಸ್ ಆಸ್ತಿಗಳ ಕುರಿತು ಯಾವುದೇ ರೀತಿಯ ಪರಬಾರೆ ಅಥವಾ ಹಸ್ತಾಂತರ ಮಾಡಬಾರದು ಎಂದು ಸ್ಪಷ್ಟ ಆದೇಶವಿರುತ್ತದೆ. ಆದರೇ, ಎದುರುದಾರರು ಓ.ಎಸ್.ನಂ. 29/2021ರ ದಾವೆಯಲ್ಲಿ ತಾನು ಪಕ್ಷಗಾರರು ಆಗಿರುವುದಿಲ್ಲ ಎಂಬ ಕಾರಕಣಕ್ಕಾಗಿಯೇ ನ್ಯಾಯಾಲಯದ ಆದೇಶಕ್ಕೆ ವಿರುದ್ಧವಾಗಿ ವಿವಾದಿತ ಆಸ್ತಿಯ ಕುರಿತು ಕ್ರಯ ಪತ್ರ ನೋಂದಣಿ ಮಾಡಲು ಬರುವುದಿಲ್ಲ ಹಾಗೂ ದೂರುದಾರರು ಆರೋಪಿಸಿರುವ ಆರೋಪವನ್ನು ತಳ್ಳಿ ಹಾಕುವಂತಹ ಯಾವುದೇ ರೀತಿಯ ಸಮಂಜಸ ವಿವರಣೆ/ಕಾರಣಗಳನ್ನು ಹಾಗೂ ದಾಖಲೆಗಳನ್ನು ಎದುರುದಾರರು ಆಕ್ಷೇಪಣೆಯ ಜೊತೆ ಹಾಜರುಪಡಿಸಿರುವುದಿಲ್ಲ. ಈಗಾಗಲೇ ವಿವಾದಿತ ಆಸ್ತಿಯ ಕುರಿತು ಯಾವುದೇ ರೀತಿಯ ಪರಬಾರೆ ಮಾಡಬಾರದು ಎಂಬ ನ್ಯಾಯಾಲಯದ ಆದೇಶವು ಎದುರುದಾರರ ಗಮನಕ್ಕೆ ಬಂದಿದ್ದರೂ ಸಹಾ, ಎದುರುದಾರರು ವಿವಾದಿತ ಆಸ್ತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕ್ರಯ ಪತ್ರ ನೋಂದಣಿ ಮಾಡಿ, ಕರ್ತವ್ಯಲೋಪ ಎಸಗಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಸ್ಪಷ್ಟವಾಗಿ ಕಂಡುಬರುತ್ತದೆ. ನ್ಯಾಯಾಲಯದ ಆದೇಶಗಳಂತೆ ಕರ್ತವ್ಯ ನಿರ್ವಹಿಸುವುದು ಪ್ರತಿಯೊಬ್ಬ ಸರ್ಕಾರಿ ನೌಕರನ ಆದ್ಯ ಕರ್ತವ್ಯವಾಗಿದ್ದು, ನ್ಯಾಯಾಲಯದ ಆದೇಶಗಳಿಗೆ ವ್ಯತಿರಿಕ್ತವಾಗಿ ಅಲ್ಲ. ಆದುದರಿಂದ, ಎದುರುದಾರರು ಸಾರ್ವಜನಿಕ/ಸರ್ಕಾರಿ ನೌಕರರಾಗಿ ಪರಿಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ, ಸಂಪೂರ್ಣ ಕರ್ತವ್ಯ ನಿಷ್ಠೆ ತೋರಿಸದೇ, ಸಾರ್ವಜನಿಕ/ಸರ್ಕಾರಿ ಸೇವಕರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡು ದುರ್ವರ್ತನೆ/ದುರ್ನಡತೆ ಎಸಗಿರುವುದು ಮೇಲ್ನೋಟಕ್ಕೆ ಕಂಡುಬರುತ್ತದೆ.

10. ಅದಲ್ಲದೆ ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರು ಸರ್ಕಾರಿ ನೌಕರರಾಗಿದ್ದು ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ (ನಡತೆ) ನಿಯಮ, 1966ರ ನಿಯಮಗಳು 3(1)(ii) ಮತ್ತು (iii)ರ ಅಡಿಯಲ್ಲಿ ದುರ್ನಡತೆ/ ದುರ್ವರ್ತನೆಯೆಸಗಿದ್ದು, ಶಿಸ್ತು ಕ್ರಮಕ್ಕೆ ಭಾದ್ಯರಾಗಿರುವುದು ಕಂಡು ಬಂದಿದ್ದರಿಂದ, ಸದರಿಯವರ ವಿರುದ್ಧ ಇಲಾಖಾ ಶಿಸ್ತು ಕ್ರಮ ಕೈಗೊಳ್ಳಲು, ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಕಾಯಿದೆ ಕಲಂ 12(3)ರ ಅಡಿ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರದಡಿಯಲ್ಲಿ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಶಿಫಾರಸ್ಸು ಮಾಡಲಾಗಿ ಹಾಗೂ ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರ ವಿರುದ್ಧದ ಇಲಾಖಾ ವಿಚಾರಣೆ ಮಾಡಲು, ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ (ವರ್ಗೀಕರಣ, ನಿಯಂತ್ರಣ ಮತ್ತು ಮೇಲ್ಮನವಿ) ನಿಯಮಗಳು, 1957ರ ನಿಯಮ 14-(ಎ)ರಡಿ ಈ ಸಂಸ್ಥೆಗೆ ವಹಿಸಬೇಕೆಂದೂ ಕೋರಲಾಗಿದ್ದು, ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರಿಯಾದ ಸರ್ಕಾರ ಉಲ್ಲೇಖ (1)ರ ಆದೇಶದಲ್ಲಿ ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರಿಗೆ ವಹಿಸಿದ್ದು, ಗೌರವಾನ್ವಿತ ಉಪಲೋಕಾಯುಕ್ತರವರು ಉಲ್ಲೇಖ (2) ರನ್ವಯ ಅಪರ ನಿಬಂಧಕರು



(ವಿಚಾರಣೆಗಳು-17) ಇವರನ್ನು ವಿಚಾರಣೆ ನಡೆಸಲು ನೇಮಕ ಮಾಡಿದ್ದಾರೆ.  
ಆದ್ದರಿಂದ, ನಿಮ್ಮ ವಿರುದ್ಧ ಈ ಆಪಾದನೆ.

6. The said Article of Charge was duly served on the DGO on 23/08/2021. Case was posted for appearance of the DGO on 07/09/2022.
7. On 07/09/2022 case was called out. The DGO was absent and hereby DGO is placed Exparte. Case was posted on 14/09/2022 for VOR.
8. On 14/09/2022 case called out for verification of records and further, case was posted on 28/09/2022 for issuance of summons to CW-1.
9. On 28/09/2022 case called out CW-1 present and DGO also present and voluntarily files an application under Rule 11(16) KCS (CCA) Rule, 1957 and the same was allowed. Then, FOS of DGO was recorded and he pleaded not guilty and claims for trial.
10. In order to substantiate and prove the article of charge framed against the DGO, the disciplinary authority has got examined PW-1/complainant and through him got marked documents as **EX.P-1 to 9**.
11. After closure of evidence on behalf of disciplinary authority. The Second Oral Statement of the DGO was recorded on 16/11/2022. He submits that, he will adduce his defence evidence.

12. On 01/12/2022 the DGO himself is examined as DW-1 and through DW-1 got marked **EX.D-1 to 4** documents. Then DW-1 is fully cross examined on 07/12/2022. Then defence side evidence is taken as closed. Then the case was posted for arguments.
13. Heard the arguments of presenting officer and the defence counsel and defence counsel filed Written Brief and both side were also heard orally.
14. Following are the points that arise for my consideration;
  - 1) Whether the Charge leveled against the DGO Sri Lakshminarayana, Sub-Registrar, Sub-Registrar Office, Putturu, Dakshina Kannada District, presently working as Sub-Registrar, Sub-Registrar Office, Ballari District is proved by the Disciplinary Authority?
15. My answer to the above point is in the '**Negative**' for the following:

### **REASONS**

16. In order to substantiate the claim and prove the allegations of article of charge, presenting officer has got examined complainant as PW-1. In his chief examination he deposed that, his wife's name Vijayalakshmi, suit schedule-A and B property in Sy.No. 37/1A/A-3A 0.11 cents of Chikkamudanuru village and another land bearing Sy.No.180/1A3 to the extent of 0.10 cents of Kabaka village in Puttur Taluk are stands in the name of his wife Vijayalakshmi. The complainant has also filed

suit against his wife viz., Vijayalakshmi bearing O.S.No.29/2021 before the Hon'ble Principal Senior Civil Judge, Puttur with respect to aforesaid properties for the relief of declaration and injunction against his wife which are stands in the name of his wife in that suit, the Hon'ble Senior Civil Judge Court pleased to passed an Interim Order against the defendant i.e., his wife not to alienate the suit schedule properties on 09/06/2021. i.e., I.A. No.2 and said copy of the order passed by the Hon'ble Principal Senior Civil Judge Court intimated to the DGO through legal notice dated 22/06/2021 issued by the complainant's counsel by RPAD and to that effect, DGO has endorsed receipt of said legal notice on 23/06/2021. Further, he has also deposed that, he has also given public notice for that, the Hon'ble Senior Civil Court granted Interim Stay order on 09/06/2021 in Kannada Daily News Paper 'Suddi Bidugade Dina Patrike' dated 21/06/2021.

17. Further, PW-1 deposed that, in the said suit the defendant who is wife of the complainant, she has knowing fully well, she has got executed sale deed dated 12/08/2021 in favour of one Abdul Razaq with respect to property bearing Sy.No. 37/1A/A-3A 0.11 cents Chikkamudluru village and said sale deed was duly registered in the office of DGO i.e., schedule-A property and he has also produced the copy of TI order dated 09/06/2021 which is marked as Exhibit P-3 and thereby, only the DGO who is knowing fully well, with respect to

the TI order passed by the Senior Civil Judge court, Puttur, which is received by the DGO through legal notice issued by the counsel for the complainant which was ordered on 09/06/2021 and the legal notice dated 22/06/2021 along with order passed by the Hon'ble Senior Civil Judge Court which was duly received by the DGO on 23/06/2021.

18. Hence, the DGO knowing fully well legal notice which was duly served on DGO along with copy of the order passed by the Senior Civil Judge Court, he has registered the sale deed on 12/08/2021 and thereby, the complainant constrained to file the present complaint against the DGO, who being the government servant inspite of order passed by the Senior Civil Judge Court, Puttur not to alienate the suit schedule-A property since court has granted TI against the vendor of the aforesaid property which was registered on 12/08/2021 and thereby, only complainant filed the present complaint before this institution on 22/09/2021 which are marked as Exhibit P-1 and Exhibit P-2. In Form No.I and II He has specifically mentioned the schedule-A of the sale deed executed by the wife of the complainant, Vijayalakshmi. Order passed by the Senior Civil Judge, Puttur dated 09/06/2021 and he has produced copy of the sale deed executed by the wife of the complainant in favour of Abdul Razaq and he has produced copy of legal notice issued to the Sub-Registrar, Puttur (DGO) dated 22/06/2021 which is marked as Exhibit P-5 and the

signature of DGO is marked as P-5(a) and he has also produced paper publication copy of Kannada Daily News Paper 'Suddi Bidugade Dina Patrike' dated 21/06/2021 which is marked as Exhibit P-6 and portion of the publication is marked as Exhibit P-6(a). Further, the complainant, after filing the comments by the respondent (DGO) which is marked as Exhibit P-7 and also rejoinder of the complainant was called on the comments of the respondent and PW-1 has submitted his rejoinder dated 12/01/2022 which is marked as Exhibit P-8. In spite of the order passed by the Senior Civil Judge Court, Puttur, the DGO knowing fully well he has received the copy of the said TI order passed by the court. He has registered the sale deed as per Exhibit P-4 and thereby, the DGO has violated the order of the Civil Court.

19. Further, PW-1, in his cross examination he deposed that, in O.S No. 29/2021 the defendant is his wife namely Vijayalakshmi. Further, it is true that, in the said suit on 09/06/2021 Temporary Injunction was granted by the said court not to alienate the suit schedule properties as described in the suit Schedule-A & B property against his wife.
20. It is true that, there is no any specific order against the DGO not to register the sale deed pertains to the suit schedule properties. He do not know his wife was purchased the property on 18/6/2012 and out of the property purchased by his wife on 18/06/2012 among

that property, she has executed registered sale deed as per Exhibit P-3. He volunteers that, his wife was executed one of the suit schedule property and there is no any specific order from the court against the said DGO and thereby, DGO has registered the sale deed. He denied the suggestion that, the DGO has not committed any illegality for discharging his official duty.

21. The DGO himself examined as DW-1. In his chief examination he deposed that, he has served as Sub-Registrar at Puttur and during the period of his service at Puttur, he was registered sale deed as per Exhibit P-4. Since, the said Sy.No.37/1A/A-3A of Chikkamudluru to the extent of 11 cents which comes within Puttur city limits and it was converted into non agricultural land and said execution of the sale deed by name one Smt. Vijayalakshmi W/o Chandrashekar Gowda, Bellipadi village, Puttur Taluk in favour of Abdul Razaq, the said land which was executed by the said Vijayalakshmi has purchased from one Chandrashekar in the year 2012 and the property registered by him, it was converted into non agriculture in the year 2017. Accordingly, city corporation have issued e-swathu in the name of said Vijayalakshmi and that land is self acquired property of said Vijayalakshmi. During the course of registering the sale deed, he has verified all the documents pertains to the said property. Further, he deposed that, he has obtained the copy of sale deed which was registered on 12/08/2021 and he himself self attested and said copy of

sale deed which is marked as Exhibit D-1 and he has also produced copy of sale deed which was purchased by the said Vijayalakshmi from Chandrashekar dated 18/06/2012 and he himself has self attested the said sale deed which is marked as Exhibit D-2 and after purchase of the Exhibit D-2, that land was converted in to non agriculture as per the endorsement issued by the Tahasildar, Puttur dated 04/02/2017 and he himself self attested endorsement is marked as Exhibit D-3. Thereafter, he has obtained the Puttur City cCorporation have given e-swathu in the name of Vijayalakshmi and he himself self attested copy of e-swathu is marked as Exhibit D-4. Hence, he prays for, he has not committed any misconduct or illegality at the time of registering the Exhibit D-1 sale deed and he may be discharged from the said case.

22. The DW-1, in his cross examination, he deposed that, it is true that, on 22/06/2021, he came to know that, in O.S. No. 29/2021, the Hon'ble Principal Senior Civil Judge Court, Puttur passed an Interim Order not to alienate suit schedule properties against the defendant of that suit namely Vijayalakshmi as per order passed on 09/06/2021. It is true that, he has received copy of legal notice which is marked as Exhibit P-5 along with certified copy of order sheet in O.S. No.29/2021 passed by the Principal Senior Civil Judge Court, Puttur as per Exhibit P-3. So also it is true that, he has received the legal notice as per Exhibit P-5 and he has signed Exhibit P-5

on 23/06/2021 (with respect to endorsement made in the legal notice) and his signature dated 23/06/2021 is marked as Exhibit P-5(a). Further, it is true that, he has gone through the contents of Exhibit P-3. Further, it is true that, in the said suit, Vijayalakshmi being the defendant of that suit and against her Ad-Interim Order was passed not to alienate any suit schedule properties as per order dated 09/06/2021. Further, it is true that, the property mentioned in said O.S. No. 29/2021, he is not having any interest and thereby only, the plaintiff of that suit was not made Sub Registrar/DGO was a necessary party to the said suit.

23. It is true that, they have maintained separate register, if any orders passed by the courts, to mention necessary case number and any order passed by the courts and (mention the case number) date of orders etc.,. Further, it is true that, for registration of any document with respect to any properties, they have to verify the said register, if there is any court order pertain to registration of the said sale deed etc.,.
24. Further, is true that, he has registered as per Exhibit P-4 on 12/08/2021 and during that time, he has also verified the said court register, but he volunteers that, at the time of registration as per Exhibit P-4, there was no any necessity arises for verifying of Exhibit P-3 and thereby only he has registered the sale deed as per Exhibit P-4.



25. Further, he deposed that, at the time of registration of Exhibit P-4, he found that, the property mentioned in the Exhibit P-4 was the self acquired property of Vijayalakshmi. But, he cannot say that, how he came to the conclusion that, the said property is the self acquired property of said Vijayalakshmi, to that effect, he has not verified any other documents, as per property mentioned in Exhibit P-4 was the self acquired property of said Vijayalakshmi.
26. Further, it is true that, in Exhibit P-4 the property mentioned in it was not specifically mentioned that, it was self acquired property of said Vijayalakshmi and he has also not made enquiry about same to the said Vijayalakshmi that, property mentioned in Exhibit P-4 was her self-acquired property or not. Further, he denied the suggestion that, he was not at all made enquiry to said vendor with respect to the said property, how it was came to her and thereby only, he has committed misconduct for registration of said sale deed.
27. It true that, any documents produced for registration, they have to verify the court register and they have to give endorsement. But, he submits that, for giving endorsement they have to charge/collect Rs. 200/- for issuance of endorsement. Further, it is true that, in Exhibit P-4 there was no any specific mentioning about that, the said Vijayalakshmi was executant as per Exhibit P-4 was executed to meet out her daughter's education

expenses. Further, he deposed that, they will take assistance of any counsel of executants but he deposed that, at the time of registration of Exhibit P-4 she has not taken any assistance of any advocate. Further, he volunteers that, on oral instruction of her counsel he has registered the sale deed.

28. Further, he deposed that, it is true that, they have maintained the court register separately. Further he deposed that, it is true, as per civil court order dated 09/06/2021 the suit Schedule-A property was the registered as per Exhibit P-4 and there was Interim Order not to register the said property. Further, it is true that, prior to registration of the said sale deed of the executants. Vijayalakshmi, he has not instructed to come after vacating the TI order passed by the said court dated 09/06/2021, though the order dated 09/06/2021, he has registered the sale deed as per Exhibit P-4 on 12/08/2021 and thereby, he has violated the provision of KCS Rules.

29. Further, in the cross examination of DW-1, he deposed that, it is true that, he has submitted comments on 29/11/2021 to the complaint filed by the complainant and copy of the said comments is marked as Exhibit P-9 and his signature is marked as Exhibit P-9(a). It is true that, in Exhibit P-9 he has not stated that, the executants of the sale deed was having financial difficulty to meet out her daughter's educational expenses.

Further, he deposed that, he has not given any endorsement to the executant of the said sale deed. Since, there is a court order not to register the sale deed, but, he volunteers that, since the property mentioned in Exhibit P-4 was the self acquired property of Vijayalakshmi and thereby, he has not asked the executants whether the property mentioned in Exhibit P-4 was self acquired property etc.,. He denied the suggestion that, he was knowing fully well he got registered the sale deed for violating the court order dated 09/06/2021.

30. In re-examination of DW-1, he deposed that, there was no any binding for registration of any documents and there is no any court order that, he shall not register the property mentioned in O.S. No. 29/2021.
31. On perusal of the averments made in the complaint, evidence of the complainant and DGO, coupled with the documents produced by the respective parties to the proceedings. It is an admitted fact that, the complainant filed the suit before the Hon'ble Principal Senior Civil Judge and 1<sup>st</sup> Additional ACJM, Puttur in O.S. No. 29/2021 against one Vijayalakshmi who is wife of complainant for the relief of declaration and injunction on 08/06/2021. It is also admitted that, in the said suit with respect to suit Schedule property 'A' and 'B' properties, the Hon'ble Senior Civil Judge Court passed order on I.A.No.2, i.e., order dated 09/06/2021 the

plaintiff who is complainant of this case, obtained exparte Ad-Interim Injunction against defendant restraining her from alienating or by transferring etc., with respect to 'A' and 'B' Scheduled properties till further orders.

32. Further, it is also admitted that, the copy of the said order was sent to the DGO, through legal notice issued by of the counsel for the plaintiff-complainant by RPAD dated 22/06/2021 as per Exhibit P-5 and which was duly received by the DGO on 23/06/2021 and after receipt of the said legal notice (Exhibit P-5) and his signature is marked as Exhibit P-5(a). Further, it is also admitted that, the complainant was also produced copy of the news paper publication, published public notice in local daily news paper dated 21/06/2021 which is marked as Exhibit P-6 and portion of the news paper publication which is marked as Exhibit P-6(a) and it is also clearly mentioned in Exhibit P-6(a) that, the survey number of the plaint schedule-A and B and he was has filed suit before the Hon'ble Principal Senior Civil Judge Court, Puttur bearing O.S. No. 29/2021 and obtained exparte Interim Order and if any person purchased, any of the suit schedule property, the purchaser will be put in to loss and hardship. Further, it is also admitted that, prior to commencement of this enquiry proceedings, the complaint was filed by the present complainant before this institution against present DGO and comments was called from the DGO and he has submitted comments

dated 29/11/2021 which is marked as Exhibit P-7 and for the said comments, the complainant has filed rejoinder which is marked as Exhibit P-8.

33. The DGO who has received the legal notice which was issued by the counsel for the complainant with respect to not to register the sale deed. Since, the complainant was obtained TI order against the aforesaid Vijayalakshmi-defendant restrained from alienating the suit schedule property mentioned in the plaint in O.S. No. 29/2021 and he will knowing fully well TI order has been granted by the aforesaid Civil Court on 09/06/2021. The DGO has gone through the contents of Exhibit P-5, the DGO inspite of that, DGO registered sale deed on 12/08/2021 which was executed by the Vijayalakshmi who is none other than the defendant in that suit, copy of the sale deed which is marked as Exhibit P-4 and thereby, only the DGO was violated court order which was passed on 09/06/2021. It is also admitted that, after considering the complaint averments and defence set up by the respondent/DGO at the time of scrutiny, report u/s 12(3) of Karnataka Lokayukta Act, 1984 has been sent to the competent authority for conducting enquiry and accordingly entrustment has been made by the government and even after entrustment made by the government, the enquiry proceedings before this enquiry office is conducted. These are all admitted facts.

34. During the course of evidence of the complainant, who is examined as PW-1, he has deposed, as per the averments made in the complaint and documents marked through complainant and during the course of cross examination of PW-1/complainant, DGO has taken specific defence that, he was not a party to the said O.S. No. 29/2021 and there is no bar for registration of the any document submitted to the Sub-Registrars office, only he has to verify, whether at the time of registration the property in question was or is stands in the name of vendor of the property and valuation of the property and the stamp duty payable by the purchaser. It is also admitted that, DW-1 in his cross examination itself he has put that, vendor of the said property as per Exhibit P-4 who is none other than the wife of the complainant and he do not know in the name of the complainant's wife, from whom she was purchased the said property under Exhibit P-4 on 18/06/2012 and he denied all other suggestions that, he was knowing fully well, received the legal notice which was duly served upon him and he himself received the notice putting his signature which is marked as Exhibit P-5(a) and it is registered on 12/08/2021 after TI order passed by the Hon'ble Court on 09/06/2021.
35. Further, in the evidence of DW-1/DGO he himself deposed in his chief that, he has registered, sale deed as per Exhibit P-4 and the vendor of the sale deed was executed by the wife of the complainant in favour of

Abdul Razaq, since, his wife was purchased the said sale deed in the year 2012 and that was converted into non agriculture and he has not at all committed any illegality by violating any provision of KCSRS.

36. During the course of cross examination he has deposed that, he has received legal notice which is marked as Exhibit P-5 and along with the copy of the TI passed in the said suit on 09/06/2021 as per Exhibit P-3 and his signature is marked as Exhibit P-5(a) and he is not having any individual interest in the said suit by registering the sale deed. Further, he deposed that, they have maintained special independent register concerned to the court proceedings, any orders of the court issued not to register etc., and he has also verified the said register prior to registering the said sale deed, since there is an order from the court restraining him from registering sale deed as per Exhibit P-4. It is also true that, there is no any specific averments in Exhibit P-4 that, property is self acquired property of the vendor i.e., Vijayalakshmi and it is also true that, there is recitals mentioning about the averment the said property was alienated to meet out her daughters educational expenses.

37. Further, he deposed that, if any court order issued for not to register, they have to issue endorsement after collecting Rs. 200/- as towards fee. But, that fact is not been intimated to the complainant, even at the time of

receipt of legal notice. It is already marked as per Exhibit P-5. If at all DGO to collect Rs. 200/- towards fees for issuing the endorsement, he ought not have given reply to the said notice which was duly served upon him as per Exhibit P-5 stating that, they will obey the order of the court and complainant shall pay Rs. 200/- towards issuance of endorsement and not giving reply to notice even after receipt as per Exhibit P-5, it is very much fatal to the defence set up by the DW-1 during the course of his cross examination and even he has not stated that fact in his comments, which was filed by the DGO which is marked as Exhibit P-9. Therefore, the DGO has violated court order knowing fully well TI order has been granted by the said Civil Court and only at the first time, during course of his cross examination, he has deposed that, they will collect Rs. 200/- for issuing endorsement for non registering the any documents if there is any stay order from the court and also during course of written arguments filed by the counsel for the DGO, he has stated that, they will collect Rs. 200/- fee as per Schedule XXV(2)(a) of Registration Act, only first time during the course of arguments and thereby, only he has not issued endorsement to the complainant even though, he has received the legal notice dated 22/06/2021 which is marked as Exhibit P-3, they will collect Rs. 200/- for issuance of endorsement and even he has not stated in his comments and even in the written statement also filed before this enquiry office, he has not stated in his



written statement, for the first time he has taken such defence. During the course of arguments, defence set up by the DGO in his evidence during the course of DW-1. Therefore, it is not necessary to register any documents for registration there is no bar. Therefore, he has violated court order while discharging his official duty which leads to misconduct and dereliction of duty.

38. The complainant is the plaintiff in O.S. No. 29/2021, he filed said suit against his wife for the relief declaration and injunction with respect to the suit Schedule-A and B property and said complainant is an Ex-Serviceman and served for Indian Army and the said properties were and are stands in the name of his wife and she was intending to alienate the said properties and on account of that reason only, he was filed the said suit bearing O.S. No. 29/2021 and after converting the Schedule No. A property, records have been comes within the limits of Puttur Corporation and thereby only, she was intending to alienate the said schedule properties and for that reason only, he has obtained TI on 09/06/2021 and legal notice was also duly served upon the DGO as per Exhibit P-5 and it was received by the DGO on 23/06/2021 and that fact has been admitted by the DGO during his cross examination and there is no reason any specific recital in Exhibit P-4 for what reasons she has alienated the suit schedule-A property and after receipt of the legal notice, he has got registered it on 12/08/2021 after lapse of one and half month and DGO was not given any endorsement

to the complainant for registering the said notice already TI has been granted by the Hon'ble Civil Court only stating that, there was no bar for registration of any document and when he has given the written arguments stating that, they will issue endorsement only as per schedule XXV of Registration Act only by collecting Rs. 200/- for issuance of endorsement as per section XXV(2)(a) to that fact, he has not specifically stated, the said provision for collecting Rs. 200/- towards issuance of endorsement. He has not produced the copy of the said provision during the course of his written arguments, he has stated the said fact. He has not given any reply, to the legal notice which was duly served upon him. Therefore, the said defence taken by the DGO is not sustainable. Further, by registration of the said sale deed it will leads to multiplicity of proceedings to the complainant for he will again implead purchaser of the property in the said suit and it will defeat the very purpose of the filing the said suit for the relief sought by the complainant in the said suit. Thereby, for registration of the sale deed, before DGO it will amounts to dereliction of discharging his official duty.

39. Further, the testimony of parties to the case in hand as per order sheet, the AOC issued to DGO on 18/08/2022 it was duly served on 09/09/2022. But on that day, DGO was absent and placed Exparte. Subsequently, when case was posted for evidence of complainant on 28/09/2022. On 28/09/2022 DGO voluntarily appeared.

Filed application for recalling of Order passed on 07/09/2022 that application was allowed and permitted to conduct proceedings.

40. On perusal of the Exhibit D-2 it was registered on 18/06/2022 and that copy has been self attested by DGO. How, he has obtained the Exhibit D-2, there is no explanation. Because, that sale deed was registered by another Sub-Registrar. This is also one of the misconduct on the part of DGO.
41. During the course of his argument, he has also relied upon some of the citations; W.P. No. 14910/2002(GM-ST-RN) wherein he has been cited as Senior Sub-Registrar and other Registrars. But, petitioner filed W.P. that it is with respect to collection of stamp duty. At the time of registration and therefore the said citation is not applicable to the said case in hand. Copy of Gazatte Notification is also not applicable to the case in hand. Unreported judgment of Hon'ble High Court of Karnataka dated 29/03/2022 it is also not applicable to the case on hand. Since, the said citations referred by the counsel for DGO are does not applicable to the case in hand.
42. Further, W.P. No. 17988/95, AIR 1954 Raj 53, AIR 2002 Ker 128, W.P.(MD)No.3404/2009 facts and circumstances are all together different, W.P.No. 2563/2003 with W.P. No.3262/2003, W.P. No.55077/2018, W.P. No.36724/2019 DGO has not challenged the G.O and AOC before the Hon'ble KSAT, W.P. No.13362/2021,

W.P. No.25078-80/2016, W.P. No.1101/2008(GM-ST/RN) which are all the citations referred by the counsel for DGO does not applicable to the case in hand.

43. Prior to filing of the present complaint by the complainant, he has filed aforesaid suit in O.S. No.29/2021 before the Hon'ble Principal Senior Civil Judge and ACJM Court, Puttur against his wife of the complainant for the relief of declaration and injunction restraining the suit schedule property on 08/06/2021. Declaration and Injunction against his own wife Vijayalakshmi knowing fully well that, exparte TI has been granted by the Hon'ble Senior Civil Judge Court on 09/06/2021 and suit schedule property summons were duly served upon her and also legal notice issued to the Sub-Registrar not to register it and he has admitted that, he has received the legal notice as per Exhibit P-5 on 22/06/2021 and his signature is marked as Exhibit P-5(a) on 23/06/2021 and after lapse of one and half month DGO on 12/08/2021 and he has registered sale deed as per Exhibit P-4. One of the suit schedule property on 12/08/2021.
44. Though DGO has received the legal notice issued by the counsel of the complainant who was plaintiff if that suit. But, there is no specific direction from the aforesaid court not to register the sale deed. Though they have been executed by the wife of the complainant. Therefore,

the DGO has not committed error or misconduct in discharging his official duty.

45. Since, the DGO prior to registration he noticed that the documents which were stands in the name of exeuctant by name Smt. Vijayalakshmi and the purchaser of the property was paid the stamp duty for registration of the said sale deed. Further, prior filing the said complaint the complainant has filed the suit against his wife for the relief of declaration and injunction. Complainant who is the petitioner in that suit he has got every right to purchaser of the suit schedule-A property which was executed by his wife and purchaser of the property is knowing fully well, inspite of TI granted by the court he was purchased the property. Complainant having every right to implead the said purchaser as necessary party to the suit and complainant is having every right to prove his case in the said suit and latin maxim buyer be aware. But, in that suit he was not made Sub-Registrar, Puttur as a necessary party and there is no any direction i.e., in the I.A. No.2 not to register the suit schedule properties 'A' and 'B'. though, after filing the suit the defendant of that suit might have executed the sale deed as of the date of the sale deed schedule No.A. property prior it was stands in the name of executants by name Vijayalakshmi. Thereby, question of illegal or misconduct are not committed by the DGO is not proved by the disciplinary authority.

46. Citations which are relied by the DGO, since there is no specific bar for registration of any document, which documents comes for registration, he has only verified the documents pertains to the sale deed which stands in the name of exeuctant or not and purchaser has to pay the registration fee like stamp duty as contemplated in Registration Act. Mere filing of the suit and complainant might have obtained the TI against defendants who is none other than the wife of the complainant. Since, there is no specific direction from the court not to register any of the suit schedule-A and 'B' property as mentioned in the plaint suit i.e., I.A. No.2. For that reason only this point is answered in the "**Negative**". Hence, I record the following;

### **FINDINGS**

The Disciplinary Authority has not proved the charges leveled against the Delinquent Government Official Sri Lakshminarayana, Sub-Registrar, Sub-Registrar Office, Putturu, Dakshina Kannada District, presently working as Sub-Registrar, Sub-Registrar Office, Ballari District.

Submitted to His Lordship Hon'ble Upalokayukta-2 for further action in the matter.

 18/01/23

**(RAJKUMAR.S.AMMINABHAVI)**  
Additional Registrar Enquiries-17  
Karnataka Lokayukta, Bengaluru.

## **ANNEXURES**

### **1. LIST OF WITNESSES EXAMINED ON BEHALF OF DISCIPLINARY AUTHORITY:**

PW1	Sri Chandrashekar Gowda, S/o Anthappa Gowda, Kundagola Mane, Bilipadi Village, Puttur Taluk (original)
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### **2. LIST OF WITNESSES EXAMINED ON BEHALF OF DELINQUENT GOVERNMENT OFFICIAL:**

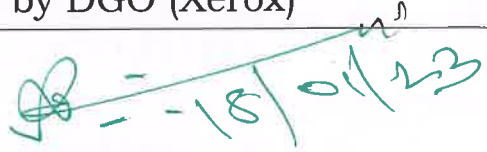
DW1	Sri Lakshminarayana, Sub-Registrar, Sub-Registrar's Office, Putturu, Dakshina Kannada District, presently working as Sub-Registrar, Sub-Registrar Office, Ballari District (original)
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### **LIST OF DOCUMENTS MARKED ON BEHALF OF DISCIPLINARY AUTHORITY:**

Ex.P1	Form No.I (original)
Ex.P2	Form No.II (original)
Ex.P3	TI order dated 09/06/2021 passed by Hon'ble PRL. Senior Civil Judge and ACJM, Dakshina Kannada (Xerox)
Ex.P4	Sale deed dated 12/08/2021 (Xerox)
Ex.P5	Legal notice dated 22/06/2021 (Xerox)
Ex.P6	Xerox copy of News Paper dated 22/06/2021
Ex.P7	Comments of DGO dated 29/11/2021 (Original)
Ex.P8	Rejoinder of the complainant dated 12/01/2022 (original)
Ex.P9	Comments of DGO dated 29/11/2021 (Xerox)

**LIST OF DOCUMENTS MARKED ON BEHALF OF DELINQUENT  
GOVERNMENT OFFICIAL:**

Ex.D1	Xerox copy of sale deed
Ex.D2	copy of sale deed self attested by DGO (Xerox)
Ex.D3	Endorsement dated 04/12/2017 self attested by DGO (Xerox)
Ex.D4	e-khata self attested by DGO (Xerox)

A handwritten signature in green ink, followed by a date written as 18/01/23.

**(RAJKUMAR.S.AMMINABHAVI)**  
Additional Registrar Enquiries-17  
Karnataka Lokayukta,  
Bengaluru.





**KARNATAKA LOKAYUKTA**

No.UPLOK-1/DE/191/2022/ARE-17

Multi Storied Building,  
Dr. B.R. Ambedkar Veedhi,  
Bengaluru-560 001,  
Dated 24.01.2023.

**RECOMMENDATION**

Sub:- Departmental inquiry against Sri.P.Lakshminarayana, Sub-Registrar, Sub-Registrar's Office, Putturu, Dakshina Kannada District, presently working as Sub-Registrar, Sub-Registrar's Office, Bellary, Bellary District – reg.

Ref:- 1) Government Order No.ಕಂಇ 04 ಮುನೋಸೇ  
(2) 2022, ಬೆಂಗಳೂರು, ದಿ:22-07-2022.

2) Nomination order No.UPLOK-1/DE/191/2022, dated 29.07.2022 of Upalokayukta, State of Karnataka.

3) Inquiry report dated 18.01.2023 of Additional Registrar of Enquiries-17, Karnataka Lokayukta, Bengaluru.

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The Government by its order dated 22.07.2022 initiated the disciplinary proceedings against Sri.P.Lakshminarayana, Sub-Registrar, Sub-Registrar's Office, Putturu, Dakshina Kannada District, presently working as Sub-Registrar, Sub-Registrar's Office, Bellary,

①

Bellary District [hereinafter referred to as Delinquent Government Official, for short as 'DGO'] and entrusted the Departmental Inquiry to this Institution.

2. This Institution by Nomination Order No.UPLOK-1/DE/191/2022, dated 29.07.2022, nominated Additional Registrar of Enquiries-17, Karnataka Lokayukta, Bengaluru, as the Inquiry Officer to frame charges and to conduct departmental inquiry against DGO for the alleged charge of misconduct, said to have been committed by him.

3. The DGO Sri.P.Lakshminarayana, Sub-Registrar, Sub-Registrar's Office, Putturu, Dakshina Kannada District, presently working as Sub-Registrar, Sub-Registrar's Office, Bellary, Bellary District, was tried for the following charge:-

ಅನುಬಂಧ-1  
ದೋಷಾರೋಪಣೆ

ದೂರುದಾರರಾದ ಶ್ರೀ ಚಂದ್ರಶೇಖರಗೌಡ ಬಿನ್  
ಅಂತಪ್ಪಗೌಡ, ಮಾಜಿ ಸೈನಿಕ, ಬೆಳ್ಳಿಪಾಡಿ ಗ್ರಾಮ, ಪುತ್ತೂರು  
ತಾಲ್ಲೂಕು ದ.ಕ. ಜಿಲ್ಲೆ (ಇನ್ನು ಮುಂದೆ ದೂರುದಾರರು ಎಂದು

ಕರೆಯಲ್ಪಡುತ್ತಾರೆ) ಇವರು ಆ.ಸ.ನೌ.ರಾದ ಶ್ರೀ.ಪಿ. ಲಕ್ಷ್ಮೀನಾರಾಯಣ, ಉಪ ನೋಂದಣಾಧಿಕಾರಿ, ಪುತ್ತೂರು ಉಪ ನೋಂದಣಾಧಿಕಾರಿಗಳ ಕಚೇರಿ, ಪುತ್ತೂರು, ದ.ಕ. ಜಿಲ್ಲೆ ಆದ ನೀವು ಪುತ್ತೂರು ನಗರಸಭೆ ವ್ಯಾಪ್ತಿಯ ಚಿಕ್ಕಮೂಡೂರು ಗ್ರಾಮದ ಸ.ನಂ.37/1ಎ1ಎ3ಎ1ಎ32 ಪಹಣಿ ಪ್ರಕಾರ 37/1ಎ1ಎ3ಎ1ಎ13 ವಿಸ್ತೀರ್ಣ 0.11 ಸೆಂಟ್ಸ್ ಹಾಗೂ ಸ.ನಂ.180/1ಎ3 ವಿಸ್ತೀರ್ಣ 0.10 ಸೆಂಟ್ಸ್ ಆಸ್ತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಪುತ್ತೂರು ಪ್ರಧಾನ ಸಿವಿಲ್ ನ್ಯಾಯಾಲಯ ಮತ್ತು ಜೆ.ಎಂ.ಎಫ್.ಸಿ. ನ್ಯಾಯಾಲಯದಲ್ಲಿ ಓ.ಎಸ್.ನಂ.29/2021ರಂತೆ ದೂರುದಾರರು ತಮ್ಮ ಹೆಂಡತಿ ಶ್ರೀಮತಿ.ವಿಜಯಲಕ್ಷ್ಮೀ ರವರ ವಿರುದ್ಧ ದಾವೆಯನ್ನು ಸಲ್ಲಿಸಿದ್ದರು, ಸದರಿ ದಾವೆಯಲ್ಲಿ ಸದರಿ ಆಸ್ತಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಯಾವುದೇ ರೀತಿಯ ಪರಭಾರೆ ಮಾಡದಂತೆ ತಾತ್ಕಾಲಿಕ ತಡೆಯಾಜ್ಞೆಯನ್ನು ದಿನಾಂಕ:09/06/2021 ರಂದು ನ್ಯಾಯಾಲಯವು ನೀಡಿರುತ್ತದೆ. ಈ ವಿಚಾರ ನಿಮ್ಮ ಗಮನಕ್ಕೆ ಬಂದಿದ್ದರೂ ಸಹಾ, ದೂರುದಾರರ ಹೆಂಡತಿಯ ಜೊತೆ ಶಾಮೀಲಾಗಿ ಸ.ನಂ.37/1ಎ1ಎ3ಎ1ಎ32 ಪಹಣಿ ಪ್ರಕಾರ 37/1ಎ1ಎ3ಎ1ಎ13 ವಿಸ್ತೀರ್ಣ 0.11 ಸೆಂಟ್ಸ್ ಸ್ವತ್ತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ದಿನಾಂಕ:12/08/2021 ರಂದು ಕ್ರಯ ಪತ್ರ ನೋಂದಣಿ ಮಾಡಿರುತ್ತೀರಿ ಹಾಗೂ ಇನ್ನೊಂದು ಆಸ್ತಿಯ ಕುರಿತು ದೂರುದಾರರ ಹೆಂಡತಿಯು ಪರಭಾರೆ ಮಾಡಲು ಪ್ರಯತ್ನಿಸುತ್ತಿದ್ದಾರೆ. ಮೇಲ್ಕಂಡ ಆಸ್ತಿಗಳ ಕುರಿತು ಯಾವುದೇ ರೀತಿಯ ಪರಭಾರೆ ಮಾಡಬಾರದು ಎಂದು ಆದೇಶವಿದ್ದರೂ ಸಹಾ ನೀವು ದಿನಾಂಕ:12/08/2021 ರಂದು ಈ ಮೇಲಿನ 0.11 ಸೆಂಟ್ಸ್ ಸ್ವತ್ತಿನ ಕ್ರಯ ಪತ್ರ ನೋಂದಣಿ ಮಾಡಿ, ಕರ್ತವ್ಯಲೋಪ ಎಸಗಿರುತ್ತೀರಿ.



ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರಾದ ನೀವು ಸರ್ಕಾರಿ ಸೇವಕರಾಗಿದ್ದು, ನಿಮ್ಮ ಕರ್ತವ್ಯಪಾಲನೆಯಲ್ಲಿ ಪರಿಪೂರ್ಣ ಪ್ರಾಮಾಣಿಕತೆ, ಸಂಪೂರ್ಣ ಕರ್ತವ್ಯ ನಿಷ್ಠೆಯನ್ನು ತೋರಿಸದೆ ಸ್ವಂತ ಲಾಭಕ್ಕಾಗಿ ಸಾರ್ವಜನಿಕ ಸೇವಕರಿಗೆ ತರವಲ್ಲದ ರೀತಿಯಲ್ಲಿ ನಡೆದುಕೊಂಡಿದ್ದು, ಆಪಾದಿತ ಸರ್ಕಾರಿ ನೌಕರರಾದ ನೀವು ಕರ್ನಾಟಕ ನಾಗರೀಕಾ ಸೇವಾ (ನಡತೆ) ನಿಯಮಾವಳಿ 1966ರ ನಿಯಮ 3 (1) (i) (ii) & (iii)ನೇ ನಿಬಂಧನೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ದುರ್ನಡತೆ ಎಸಗಿದ್ದೀರಿ.

4. The Inquiry Officer (Additional Registrar of Enquiries-17) on proper appreciation of oral and documentary evidence has held that, the Disciplinary Authority has '**not proved**' the above charge against the DGO - Sri.P.Lakshminarayana, Sub-Registrar, Sub-Registrar's Office, Putturu, Dakshina Kannada District, presently working as Sub-Registrar, Sub-Registrar's Office, Bellary, Bellary District.

5. On perusal of the Inquiry Report, in order to prove the guilt of the DGO, the Disciplinary Authority has examined one witness as per PW-1 and Ex. P-1 to P-9 documents were got marked. The DGO has examined



himself as DW-1 and got marked Ex.D-1 to Ex.D-4 documents.

6. On re-consideration of report of inquiry and on perusal of the entire records, I do not find any reason to interfere with the findings recorded by the Inquiry Officer. Therefore, it is hereby recommended to the Government to accept the report of Inquiry Officer and exonerate DGO - Sri.P.Lakshminarayana, Sub-Registrar, Sub-Registrar's Office, Putturu, Dakshina Kannada District, presently working as Sub-Registrar, Sub-Registrar's Office, Bellary, Bellary District, of the charges leveled against him.

7. Action taken in the matter shall be intimated to this Authority.

Connected records are enclosed herewith.

  
(JUSTICE K.N.PHANEENDRA)  
Upalokayukta,  
State of Karnataka.

