**IN THE HIGH COURT OF KARNATAKA,
DHARWAD BENCH**

DATED THIS THE 28TH DAY OF FEBRUARY, 2025

**BEFORE
THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ**

WRIT PETITION NO.100548 OF 2025 (CS-EL/M)

BETWEEN:

1. SMT. VINITHA W/O. MANOHAR M.,
AGE: 41 YEARS, OCC: SWR EMPLOYEE,
R/O: PLOT NO.4, LAKSHMI LAYOUT,
NEAR SHANTINAGAR CHURCH, HUBLI - 580032
MEMBERSHIP NO.: 15503
SL. NO. IN REJECTION LIST: 149

2. MANOHAR S/O. MAHADEVASWAMY,
AGE: 40 YEARS, OCC: SWR EMPLOYEE,
R/O: NO. 39, AMTS COLONY,
KARWAR ROAD, HUBLI - 580024
MEMBERSHIP NO.: 14735
SL. NO. IN REJECTION LIST: 110

3. PRASHANT CHOUGALE S/O. SIDDAPPA,
AGE: 44 YEARS, OCC: SWR EMPLOYEE,
R/O: DR. AMBEDKAR COLONY, AYODHYA NAGAR,
HUBLI - 580024
MEMBERSHIP NO.: 01200514128
SL. NO. IN REJECTION LIST: 70

Digitally signed by ASHPAK KASHIMSA MALAGAL ADINNI
Location: HIGH COURT OF KARNATAKA DHARWAD BENCH

4. NAGARJUN S/O. PAPANNA,
AGE: 37 YEARS, OCC: SWR EMPLOYEE,
R/O: NO.666, CEMENT CHAWL, VINOBA NAGAR,
GADAG ROAD, HUBLI - 580020
MEMBERSHIP NO.: 23297
SL. NO. IN REJECTION LIST: 804

5. MANIKPRABHU S/O. NARAYAN PETKAR,
AGE: 40 YEARS, OCC: SWR EMPLOYEE,
R/O: NO.10, ULAVI CHENNABASAVESHWAR COLONY,
GOPANAKOPPA, HUBLI – 580020,
MEMBERSHIP NO.: 1200513476,
SL. NO. IN REJECTION LIST: 30.

6. PAVANKUMAR N. R. S/O. RANGASWAMY N,
AGE: 35 YEARS, OCC: SWR EMPLOYEE,
R/O: NUGGEHALLI POST, CHENNARAYAPATTANA
TQ:HASSAN – 573 131,
MEMBERSHIP NO.: 1200519566,
SL. NO. IN REJECTION LIST: 422.

7. M. VENKATASWAMY S/O. M. C. NAGAIAH,
AGE: 42 YEARS, OCC: SWR EMPLOYEE,
R/O: H NO. 44/47, NEW KANYA
NAGAR EXTENSION,
NEAR CHETANA COLONY, GADAG ROAD,
HUBLI - 580020
MEMBERSHIP NO.: 1200520583
SL. NO. IN REJECTION LIST: 519

8. KRISHNA S/O. NAIDU V. K.,
AGE: 37 YEARS, OCC: SWR EMPLOYEE,
R/O: NO. 123/134, MANTOOR ROAD,
NEAR ICE PLANT,
MOULALI BLOCK, HUBLI - 580030
MEMBERSHIP NO.: 18291
SL. NO. IN REJECTION LIST: 312

9. SOMESH S/O. BASAVARAJ PADESUR,
AGE: 42 YEARS, OCC: SWR EMPLOYEE,
R/O: NO.1467/K, RAILWAY QUARTERS, TYPE 1,
RAIL NAGAR, GADAG ROAD, HUBLI - 580020
MEMBERSHIP NO.: 16432,
SL. NO. IN REJECTION LIST: 198.

10. SANJAY S/O. UTTAM PAWAR,
AGE: 37 YEARS, OCC.: SWR EMPLOYEE,
R/O: #1144/B, RAILWAY QUARTERS,
KESHWAPUR,
CLUB ROAD, HUBLI - 580023
MEMBERSHIP NO.: 23365
SL. NO. IN REJECTION LIST: 821

11. DAVID AROKIASWAMY S/O. ADAIKALASWAMY,
AGE: 37 YEARS, OCC: SWR EMPLOYEE,
R/O: NO. 497/B, CEMENT CHAWL,
GADAG ROAD, HUBLI - 580020
MEMBERSHIP NO.: 19747
SL. NO. IN REJECTION LIST: 446

12. SHANKAR LAMANI S/O. MOTHILAL WACHAPPA L.,
AGE: 40 YEARS, OCC: SWR EMPLOYEE,
R/O: NO. 1528/K, RAILWAY QUARTERS,
NEW VINOBHA NAGAR, GADAG ROAD,
HUBLI – 580020,
MEMBERSHIP NO.: 1200518605
SL. NO. IN REJECTION LIST: 339

13. JAMEER MOHAMMED KHAN DANGE S/O. YAKUB,
AGE: 37 YEARS, OCC: SWR EMPLOYEE,
R/O: NO. 662/A, CEMENT CHAWL,
GADAG ROAD, HUBLI - 580020
MEMBERSHIP NO.: 1200520559
SL. NO. IN REJECTION LIST: 510

14. NAGARAJ PERUR S/O. GANGAPPA PERUR,
AGE: 44 YEARS, OCC: SWR EMPLOYEE,
R/O: NO.24, INDIRA NAGAR,
NEAR BANKAPUR CHOWK,
P.B. ROAD, OLD HUBLI, HUBLI - 580024
MEMBERSHIP NO.: 22790
SL. NO. IN REJECTION LIST: 747

15. EDUKONDALU NAIK R S/O. DHARMA NAIK R.,
AGE: 57 YEARS, OCC: SWR EMPLOYEE,
R/O: NO.1363/A, OPP. ELC SUB-STATION,
KESHWAPUR, HUBLI - 580023
MEMBERSHIP NO.: 14750
SL. NO. IN REJECTION LIST: 111.

16. CHANDSAB D. PATIL,
AGE: 43 YEARS, OCC: SWR EMPLOYEE,
R/O: NO. 1394/C,
OPP. CHALUKYA INSTITUTE,
RAILWAY QUARTERS, VINOBHA NAGAR,
GADAG ROAD, HUBLI - 580020
MEMBERSHIP NO.: 1200513809
SL. NO. IN REJECTION LIST: 51.

17. PREMKUMAR KUDALI S/O. SUMANT,
AGE: 44 YEARS, OCC: SWR EMPLOYEE,
R/O: H. NO. 222, MANTOOR ROAD,
AMBEDKAR COLONY, HUBLI - 580020
MEMBERSHIP NO.: 18775,
SL. NO. IN REJECTION LIST: 355.

18. SHYAMALA N D/O. LINGAYYA,
AGE: 33 YEARS, OCC: SWR EMPLOYEE,
R/O: NO.72/A, GADAG ROAD, SLUM AREA,
NEAR RAILWAY KANNADA SCHOOL,
HUBLI – 580 020,
MEMBERSHIP NO.: 19381
SL. NO. IN REJECTION LIST: 409

19. MADHUSUDHAN SHELLIKERI S/O. MOHANRAO,
AGE: 40 YEARS, OCC: SWR EMPLOYEE,
R/O: NO.225, VENKATESHWARA NAGAR,
GOKUL ROAD, HUBLI – 580020,
MEMBERSHIP NO.: 24795,
SL. NO. IN REJECTION LIST: 1018.

20. RAVI HARIKANTH S/O. BABU,
AGE: 40 YEARS, OCC.: SWR EMPLOYEE,
R/O: BETKULI POST, KUMTA TQ.,
UTTARA KANNADA – 58133,
MEMBERSHIP NO.: 18034
SL. NO. IN REJECTION LIST: 297

21. NINGAPPA HATTI S/O. TIPPANNA,
AGE: 40 YEARS, OCC.: SWR EMPLOYEE,
R/O: NO.122/B, KALE LAYOUT,
BACKSIDE BENGERI, HUBLI – 580023,
MEMBERSHIP NO.: 18606,
SL. NO. IN REJECTION LIST: 340.

22. YASHWANT BANIKATTI S/O. NAGAPPA,
AGE: 41 YEARS, OCC.: SWR EMPLOYEE,
R/O: NO. 1528/1, RAILWAY QUARTERS,
VINOBHA NAGAR,
GADAG ROAD, HUBLI - 580020
MEMBERSHIP NO.: 14227
SL. NO. IN REJECTION LIST: 77

23. RAMANJANEYLU B.,
AGE: 40 YEARS, OCC.: SWR EMPLOYEE,
R/O: NO.34, NEHRU NAGAR,
GADAG ROAD, HUBLI – 580 020,
MEMBERSHIP NO.: 13785,
SL. NO. IN REJECTION LIST: 50.

24. SUDHENDRA MUNDAGOD S/O. RAGHAVENDRA,
AGE: 53 YEARS, OCC: SWR EMPLOYEE,

R/O: SHANTI NAGAR, KESHWAPUR,
HUBLI – 580023,
MEMBERSHIP NO.: 21895,
SL. NO. IN REJECTION LIST: 650.

25. VANI PUJARI D/O. NAGAPPA,
AGE: 43 YEARS, OCC: SWR EMPLOYEE,
R/O: NO.314/478, ANCHIGATTI
GOVT. HIGHSCHOOL,
ADRGUNCHI, HUBLI – 580028
MEMBERSHIP NO.: 1200523635
SL. NO. IN REJECTION LIST: 851

26. LATHA GOKAK D/O. TANAJI,
AGE: 52 YEARS, OCC: SWR EMPLOYEE,
R/O: NO.104, SPRINGWOOD APARTMENTS
TEACHERS COLONY,
BESIDE ST. MICHAEL SCHOOL,
SULYA ROAD, HUBLI – 580023,
MEMBERSHIP NO.: 1200514515,
SL.NO. IN REJECTION LIST: 96.

27. VASUDEV NAIK S/O. VITTAL NAIK,
AGE: 30 YEARS, OCC: SWR EMPLOYEE
R/O #1508, RAILWAY QUARTERS,
GADAG ROAD, HUBLI – 580020
MEMBERSHIP NO.: 1200521666
SL. NO. IN REJECTION LIST: 626

28. VENKATESH RATHOD S/O. MAHADEVAPPA,
AGE: 33 YEARS, OCC: SWR EMPLOYEE,
R/O: NO. 14778, RAILWAY QUARTERS,
TYPE-2, RAIL NAGAR, GADAG ROAD,
HUBLI – 580020,
MEMBERSHIP NO.: 1200519094,
SL. NO. IN REJECTION LIST: 387.

29. MARUTEPPA SINDOGI
S/O. HANUMANTHAPPA,
AGE: 43 YEARS, OCC: SWR EMPLOYEE,
R/O: DADEGAL, KOLUR POST,
KOPPAL TQ.,
KOPPAL - 583231
MEMBERSHIP NO.: 1200517625
SL. NO. IN REJECTION LIST: 274

30. ANAND BADIGER S/O. SHIVARUDRAPPA,
AGE: 35 YEARS, OCC: SWR EMPLOYEE,
R/O ALALAGERI POST, BYADAGI TQ.,
HAVERI DIST – 581 106.
MEMBERSHIP NO.: 1200518773
SL. NO. IN REJECTION LIST: 353

31. VISHNUCHARAN N. N. S/O. NINGACHARI N,
AGE: 46 YEARS, OCC: SWR EMPLOYEE,
R/O: NO. 1508/E,
RAILWAY QUARTERS, TYPE-1,
RAIL NAGAR, GADAG ROAD,
HUBLI – 580020,
MEMBERSHIP NO.: 1200518778,
SL. NO. IN REJECTION LIST: 356.

32. ANNAPPA ROTTIGWAD S/O. DHAMANNA,
AGE: 38 YEARS, OCC: SWR EMPLOYEE,
R/O: CHIKKANARTHI, HIRENARTHI POST,
KUNDAGOL TQ.,
DHARWAD DIST. - 581113
MEMBERSHIP NO.: 1200519686
SL. NO. IN REJECTION LIST: 440.

33. IMAMHUSEN TAKKED S/O. DONGARISAB,
AGE: 41 YEARS, OCC: SWR EMPLOYEE,
R/O: HOLE ALUR POST,
NEAR RAILWAY STATION,
DHARWAD DIST. - 582203
MEMBERSHIP NO.: 1200519456
SL. NO. IN REJECTION LIST: 417

34. HUANAMAPPA BANDAKERI S/O. YAMANAPPA,
AGE: 38 YEARS, OCC: SWR EMPLOYEE,
R/O: NO. 28, RAJ NAGAR, REVENUE COLONY,
OPP. KENDRIYA VIDYALAYA, HUBLI – 580020,
MEMBERSHIP NO.: 1200519751,
SL. NO. IN REJECTION LIST: 447.

35. ASHOK MANJUNATH S/O. LAXMAN,
AGE: 46 YEARS, OCC: SWR EMPLOYEE,
R/O: KADAPATTI VILLAGE, HALYAL POST,
KUNDAGOL TQ., HUBLI – 581113,
MEMBERSHIP NO.: 1200513658,
SL. NO. IN REJECTION LIST: 42.

36. CHANDRU KURATTI S/O. VEERAPPA,
AGE: 38 YEARS, OCC: SWR EMPLOYEE,
R/O: IST CROSS, 5TH WARD, RANIPET,
HOSPET, VIJAYANAGAR DIST – 583201,
MEMBERSHIP NO.: 1200518600,
SL. NO. IN REJECTION LIST: 337.

37. SYED MOHAMMED ALI S/O. SYED ANWAR,
AGE: 38 YEARS, OCC: SWR EMPLOYEE,
R/O: H. NO. 14/C, MANTOOR ROAD,
VALLABH BHAI NAGAR, HUBLI - 580020
MEMBERSHIP NO.: 1200517419,
SL. NO. IN REJECTION LIST: 250.

38. SOLOMON NADAKATTIN S/O. ABRAHAM,
AGE: 44 YEARS, OCC: SWR EMPLOYEE,
R/O: BASEL MISSION COMPOUND,
NEAR SNEHALAYA BOYS HOME,
BETAGERI-GADAG – 582 102,
MEMBERSHIP NO.: 1200516431,
SL. NO. IN REJECTION LIST: 197.

39. NAYEEM BASHA S/O. ABDUL SATTAR,
AGE: 39 YEARS, OCC: SWR EMPLOYEE,
R/O: NO. 1525/A, VINOBHA NAGAR,
GADAG ROAD, HUBLI – 580020,
MEMBERSHIP NO.: 1200517626,
SL. NO. IN REJECTION LIST: 275.

40. GURUNATH S/O. RAMASWAMY,
AGE: 43 YEARS, OCC.: SWR EMPLOYEE,
R/O: NO. 907/H, RAILWAY QUARTERS,
GADAG ROAD, HUBLI - 580020
MEMBERSHIP NO.: 1200522463
SL. NO. IN REJECTION LIST: 716

…PETITIONERS

(BY SRI KIRAN ANGADI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA ,
REP. REGISTRAR OF CO-OPERATIVE
SOCIETIES IN KARNATAKA,
#01, ALI ASKER ROAD, NEAR RAJ BHAVAN,
VASANTH NAGAR, BENGALURU – 560 052,

2. THE COMMISSIONER,
CO-OPERATIVE ELECTION AUTHORITY,
#3RD FLOOR, SHANTI NAGAR, TTMC, 'A' BLOCK,
KENGAL HANUMANTHAIAH ROAD,
RAJA RAM MOHAN ROY EXTENSION,
BENGALURU - 560027

3. THE DISTRICT ELECTION OFFICER AND
DEPUTY REGISTRAR OF
CO-OPERATIVE SOCIETIES,
MYSURU – 570 001.

4. THE PRESIDENT,
THE RAILWAY CO-OPERATIVE BANK LTD.,
SHESHADRI IYER ROAD,
MYSURU – 570 001.

…RESPONDENTS

(BY SMT. KIRTILATA R. PATIL, HCGP FOR R1 AND R3;
SRI G.V.BHARMAGOUDAR, ADVOCATE FOR R2;
SRI IRJAN NAGARAJ, ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, ISSUE A WRIT OF APPROPRIATE NATURE TO DECLARE THAT SECTION 20(2)(A-IV) THE KARNATAKA CO-OPERATIVE SOCIETIES ACT IS ULTRA VIRES AND LEGISLATIVE COMPETENCE AND ARTICLE 243ZI AN 243ZO OF THE CONSTITUTION OF INDIA, IN THE INTEREST OF JUSTICE AND EQUITY. ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENTS TO CONDUCT THE ELECTIONS TO THE COMMITTEE OF MANAGEMENT OF THE 4TH RESPONDENT SOCIETY FOR THE TERM 2025-30 SCHEDULED TO BE HELD IN THE MONTH OF FEBRUARY, 2025 AND PERMIT THE PETITIONERS TO TAKE PART IN THE ELECTION PROCESS BY CONTESTING AND CASTING THEIR RESPECTIVE VOTES IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.,

THIS WRIT PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ)

1. Petitioners are before this Court seeking for the following reliefs :

> *"A) Issue a writ of appropriate nature to declare that Section 20(2)(a-iv) the Karnataka Co-Operative Societies Act is ultra vires and legislative competence and Article 243ZI an 243ZO of the Constitution of India, in the interest of justice and equity.*
>
> *B) Issue a writ of mandamus directing the Respondents to conduct the Elections to the Committee of Management of the 4th Respondent Society for the term 2025-30 scheduled to be held in the month of February, 2025 and permit the Petitioners to take part in the election process by contesting and casting their respective votes in the interest of justice and equity.*
>
> *C) Pass such other orders as this Hon'ble Court deems fit in the facts and circumstances of the case, including costs, in the interest of justice and equity."*

2. During the pendency of the above matter, elections have been held and results are to be declared. A co-ordinate bench of this Court in its order dated 07.06.2022 in Writ Petition No.8502 of 2022 and connected mater has held in similar matters that the counting is required to be

completed, results announced and liberty was reserved to avail the remedy of filing a election petition, if aggrieved by the results, I am of the opinion that the said order would also be applicable to the present matter. Hence, I pass the following :

ORDER

(i) Writ petition is disposed of.

(ii) The Returning Officer is directed to announce the result after counting of the votes within 3 days from date of receipt of a copy of this order.

(iii) All contentions and allegations of the petitioners are left open to be agitated in proceedings in election petition, if and so filed.

(iv) Pending application, if any, does not survive for consideration.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

RHR/CT-ASC
List No.: 2 Sl No.: 11