



NC: 2026:KHC:17047
WP No. 458 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO. 458 OF 2026 (S-RES)

BETWEEN:

S.R.SHIVARAMU
S/O. LATE RANGAPPA,
AGED 58 YEARS,
SECOND DIVISION ASSISTANT,
(UNDER ORDERS OF DISMISSAL)
OFFICE OF THE DISTRICT MANAGER,
DR. B.R. AMBEDKAR DEVELOPMENT
CORPORATION LTD.,
MYSORE DISTRICT, MYSORE,
R/AT, NO. 2407, 3RD STAGE,
DATTAGALLI, MYSORE – 570 022

...PETITIONER

(BY SRI. PANDURANGA NAYAK, ADVOCATE)

AND:

1. STATE OF KARNATAKA
SOCIAL WELFARE DEPARTMENT,
VIKASA SOUDHA,
BENAGLURU – 560 001
2. DR. B.R. AMBEDKAR DEVELOPMENT
CORPORATION LIMITED
(KARNATAKA GOVERNMENT UNDERTAKING)
9TH FLOOR, VISWESHWARAI AH MINI TOWER, DR.AMBEDKAR
VEEDI, BANGALORE – 560 001.

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE, AGA FOR R1;
SRI. S.V. GIRIKUMAR, ADVOCATE FOR R2)

THIS W.P. IS FILED UNDER ARTICLES 226 & 227 OF
CONSTITUTION OF INDIA PRAYING TO QUASH THE PUNISHMENT
IMPOSED TO THE PETITIONER VIDE ORDER NO. ಸಂಖ್ಯೆ/ಅಂಕನಿ/ಸಿ-ಆ/ಶಿಸ್ತು/ಇ-
189023/2025-26/6128 DATED 19.12.2025 SINGED DIGITALLY ON 22.12.2025
BY THE 2ND RESPONDENT VIDE ANNEX-J TO THE WP AND ETC.,

Digitally signed
by CHANDANA
B M
Location: High
Court of
Karnataka



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

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

In this petition, the petitioner seeks the following reliefs:

- “(i) Call for records from the Respondents;*
- (i)(a) To declare the entire departmental enquiry proceedings held against the petitioner under Rule 14-A of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957, as invalid;*
- (ii) Issue Writ of Certiorari to quash the punishment imposed to the petitioner vide order No.ಸಂಖ್ಯೆ/ಅಂಅನಿ/ಸಿ-ಆ/ಶಿಸ್ತು/ಇ- 189023/2025-26/6128, dated 19.12.2025 signed digitally on 22.12.2025, by the second respondent vide Annexure-J to the writ petition;*
- (iii) Direct the second respondent to reinstate the petitioner into service in the post held by him with all consequential benefits including the promotion to the post of First Division Assistant;*
- (iv) Grant such other/further reliefs as this Hon'ble Courts deems fit as to the facts and circumstances of the case in the interest of justice and equity.”*

2. Heard learned counsel for the petitioner, learned AGA for respondent No.1 and learned counsel for respondent No.2 and perused the material on record.



3. In addition to reiterating the various contentions urged in the memorandum of petition and referring to the material on record, learned counsel for the petitioner invited my attention to the order of the Co-ordinate Bench of this Court in the case of ***Sri. T. Ramakrishna Vs. The State of Karnataka and another – W.P.No.56021/2016 dated 19.10.2020*** and the same was confirmed by the Hon'ble Division Bench in the Writ Appeal preferred by respondent No.2 i.e., ***The Managing Director and Disciplinary Authority Vs. Sri. T. Ramakrishna - W.A.No.92/2021 dated 06.03.2021***, in order to contend that the present petition deserves to be allowed and disposed of in terms of the aforesaid decisions.

4. Per contra, learned AGA for respondent No.1 as well as learned counsel for respondent No.2 submits that there is no merit in the petition and that the same is liable to be dismissed.

5. As rightly contended by the learned counsel for the petitioner, the present petition is directly and squarely covered by the decision of a Co-ordinate Bench of this Court in the case of



Ramakrishna Vs. The State of Karnataka and another –

W.P.No.56021/2016 dated 19.10.2020, which reads as under:

“In the instant petition, petitioner has sought for the following reliefs:-

a) Issue a writ of certiorari or any other writ quashing the order dated 22.10.2016 in No. AM.ANI/CAA/LOTRYA/2009-10/2016-17/11596/24/10/2016/22/10/16 passed by the 2nd respondent produced at ANNEXURE-J

b) Grant such other order or direction as deems fit to grant in the facts and circumstances of the case.

2. Petitioner was in the cadre of Recovery Officer and he was on deputation to SC/ST Development Corporation. While he was on deputation one Sri.V.Ramanjaneyalu gave complaint that petitioner and one Sri.V.Mahalingaiah are demanding a sum of Rs.8,000/- and Rs.2,000/- respectively to do favour to the complainant. Thus, trap proceedings were laid by the Lokayukta Police and proceeded to initiate parallel proceedings.

3. When the enquiry was initiated petitioner was in the cadre of Recovery officer and at the time of imposing penalty he was incharge of the post of Assistant General Manager with the second respondent-Dr.B.R.Ambedkar Development Corporation. While the petitioner was in service he was involved in parallel proceedings arising out of a trap proceedings by the Lokayukta Police. Arising out of the aforesaid allegation, disciplinary proceedings were conducted by the office of the Upalokayukta. Upalokayukta



recommended for imposition of penalty on 07.04.2016. Show cause notice was issued to the petitioner by the second respondent. On receipt of petitioner's explanation, second respondent proceeded to impose the penalty of compulsory retirement. Extract of the penalty order is reproduced here under:-

“ಸಂಖ್ಯೆ ಆಂಆನಿ /ಸಿಆ/ಲೋಟ್ರಾ/ 2009-10/2016-17

ದಿನಾಂಕ : 22.10.2016

ಆದೇಶ

ಶ್ರೀ ಶ್ರೀನಿವಾಸುಲು, ಭಾ.ಛ.ಸೇ ವ್ಯವಸ್ಥಾಪಕ ನಿರ್ದೇಶಕರು, ಡಾ.ಬಿ.ಆರ್.ಅಂಬೇಡ್ಕರ್ ಅಭಿವೃದ್ಧಿ ನಿಗಮ, ಬೆಂಗಳೂರು, ಆದ ನಾನು ಕರ್ನಾಟಕ ಉಪಕೋಶಾಯುಕ್ತ -ಗಿರವರ ಶಿಫಾರಸ್ಸು ಮತ್ತು ದಿನಾಂಕ ೨೨.೦೮.೨೦೧೬ರಂದು ಜರುಗಿದ ನಿಗಮದ ೨೧೩ನೇ ನಿರ್ದೇಶಕರ ಮಂಡಳಿ ಸಭೆಯ ನಿರ್ಣಯದಂತೆ ನಿಗಮದ ವೃಂದ ಮತ್ತು ನೇಮಕಾತಿ ನಿಯಮಗಳು, ೨೦೧೩ರ ಅನುಸಾರ iv ರ ಅಡಿ ನನಗೆ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ ಶ್ರೀ ಟಿ.ರಾಮಕೃಷ್ಣ ವಸೂಲಾತಿ ಅಧಿಕಾರಿ, ಹಾಲಿ ಪ್ರಭಾರ ಸಹಾಯಕ ಪ್ರಧಾನ ವ್ಯವಸ್ಥಾಪಕರು , ಡಾ.ಬಿ.ಆರ್.ಅಂಬೇಡ್ಕರ್ ಅಭಿವೃದ್ಧಿ ನಿಗಮ, ಕೇಂದ್ರ ಕಛೇರಿ , ಬೆಂಗಳೂರು ಇವರ ಮೇಲಿನ ಭ್ರಷ್ಟಾಚಾರ ಆರೋಪವು ಸಾಬೀತಾಗಿರುವ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವೆಗಳು (ವಗೀಕರಣ, ನಿಯಂತ್ರಣ ಮತ್ತು ಅಫೀಲುಗಳು) 1957ರ ನಿಯಮ 8(VI) ರಡಿ ಸೇವೆಯಿಂದ ಕಡ್ಡಾಯ ನಿವೃತ್ತಿಗೊಳಿಸಿ ಆದೇಶಿಸಿದ್ದೇನೆ.”

4. The petitioner is governed by Rules called Dr.B.R.Ambedkar Development Corporation Limited (Classification, Control and Appeal Rules, 1991(for short, Rules, 1991). For the purpose of entrustment of enquiry to the office of the Upalokayukta there is no provision even to this day. On 30.06.2006, Minutes of the 166th Meeting of the Board of Directors, item No.6- reads as under:-

“Item No.6-Amendment to CCA Rules, 1991 of the Corporation:

The Managing Director explained the proposal with reference to the provisions of Rule 14A of KCSR Rules, 1957 with regard to the procedure in cases entrusted to the Lokayukta, for adoption in the CCA Rules of the



Corporation. After due consideration, the Board approved to suitably amend the CCA Rules, 1991 of the Corporation and adopt the provisions of Rule 14A of Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957."

5. *The aforesaid provision has not been brought into the Rules, 1991 even to this day. Thus, prima facie from the entrustment of disciplinary proceedings to the office of the Upalokayukta till imposition of penalty is without authority of law. That apart, when the petitioner is governed by Rules, 1991, second respondent has invoked Rule 8(vi) of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957(for short, Rules, 1957), which has no application to the petitioner in view of the fact that petitioner is an employee of the second respondent and he is governed by Rules, 1991. Under Rules, 1991 imposition of penalty of compulsory retirement is sub-rule (viii) of Rule 7-Nature of Penalties (Compulsory retirement). Therefore, there is a total non-application of mind by the second respondent from the stage of entrustment of enquiry to the office of the Upalokayukta under Rule 14(A) of Rules 1957. Therefore, question of entrusting disciplinary enquiry to the office of Upalokayukta is without authority of law since petitioner is governed by Rules, 1991 and not Rules, 1957. In view of these facts and circumstances, Annexure-J dated 22.10.2016 issued by the second respondent- Dr.B.R.Ambedkar Development Corporation is set aside, writ petition stands allowed."*

6. The aforesaid order is confirmed by the Hon'ble Division Bench in an appeal preferred by respondent No.2 i.e., ***The Managing***



Director and Disciplinary Authority Vs. Sri. T. Ramakrishna -

W.A.No.92/2021 dated 06.03.2021, which reads as under:

- "1. The appellant is before this Court seeking for setting aside the order of the learned Single Judge dated 19.10.2020 passed in W.P.No.56021/2016 and for confirming the order of the appellant dated 22.10.2016.*
- 2. By way of order dated 22.10.2016, the appellant herein dismissed respondent No.1 for alleged misconduct after an enquiry being conducted under the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 ('KCSCCA Rules'), aggrieved by the same that respondent No.1 had approached this Court.*
- 3. The learned Single Judge coming to a conclusion that the appellant had not adopted KCSCCA Rules the enquiry which has been conducted was without authority of law, there was complete non-application of mind by the appellant, the same could not have been referred to Upalokayukta nor the Upalokayukta have recommended any punishment, allowed the writ petition.*
- 4. Sri.Srinivas, learned counsel for the appellant would submit that the Board of Directors in its 166th meeting held on 30.06.2006 approved to suitably amend the CCA Rules, 1991 of the Corporation and adopt the*



provisions of Rule 14-A of KSCCCA Rules, this fact has not been properly considered by the learned Single and as such, initiation of proceedings, reference to the Upalokayukta and the recommendation of the Lokayukta are proper and correct and the order passed by the learned Single Judge is required to be set-aside.

5. *Heard Sri.V.Sreenivas, learned counsel for the appellant for admission and on IA-1/2021 for stay.*
6. *A perusal of the Minutes of the meeting dated 30.06.2006 which has been relied upon by the appellant would indicate that in the said meeting, the Board of Directors had recommended that Rule 14-A of the KSCCCA Rules be adopted by the appellant by way of suitably amending the Rules of the Corporation. The said minutes would not in any manner indicate that the Rules have been adopted and/or any amendment made. Recommendation by the Board of Directors for adoption has remained a recommendation and has not been acted upon.*
7. *On enquiry with the learned counsel for the appellant as to whether there has been, in fact, any amendment carried out Sri.Sreenivas, counsel for the appellant fairly submits that there is no amendment carried out, that the appellant has been acting on 166th Minutes of meeting dated 30.06.2006 as if Rule 14-A of the KSCCCA Rules has been adopted.*



8. *We are of the considered opinion that such a situation is contrary to the applicable law inasmuch as the adoption of KSCCCA Rules has to be explicit and has to be so done by way of amendment to the Rules of the appellant, it is this that has been recommended by the Board of Directors in its 166th Meeting. The 166th Minutes of meeting dated 30.06.2006 cannot be said to have amended the Rules of the appellant-Corporation more so when it is only a recommendation. The recommendation of Board of Directors not having been acted upon by carrying out necessary amendment, we are of the considered opinion that the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 are not applicable to the appellant. Dr.Ambedkar Development Corporation Limited (Classification, Control and Appeal) Rules, 1991 would be applicable to the appellant. Consequently the proceedings which has been undertaken under the Karnataka Civil Services (CCA) Rules, 1957 are not permissible and as such, the finding of the learned Single Judge being proper and correct, do not require any interference.*

The writ appeal stands dismissed.”

7. The aforesaid decisions are applicable to the facts and circumstances of the instant case and consequently, the present petition also deserves to be disposed of in terms of the judgment of



co-ordinate Bench of this Court as well as the Hon'ble Division Bench of this Court, referred to supra.

8. In the result, I pass the following:

ORDER

- (i) The petition is allowed and disposed of in terms of the decision of a Co-ordinate Bench of this Court in the case of ***Sri. T. Ramakrishna Vs. The State of Karnataka and another – W.P.No.56021/2016 dated 19.10.2020***, which was confirmed the Hon'ble Division Bench in the Writ Appeal preferred by respondent No.2 i.e., ***The Managing Director and Disciplinary Authority Vs. Sri. T. Ramakrishna - W.A.No.92/2021 dated 06.03.2021***.
- (ii) The impugned punishment imposed to the petitioner, dated 19.12.2025 (digitally signed on 22.12.2025), by respondent No.2 vide Annexure-J is hereby quashed.



(iii) The concerned respondents are directed to reinstate the petitioner within a period of three weeks together with all consequential benefits, within a period of three months from the date of receipt of a copy of this order.

(iv) Liberty is reserved in favour of respondent No.2- Corporation to take appropriate legal action against the petitioner, in accordance with law.

**Sd/-
(S.R.KRISHNA KUMAR)
JUDGE**