



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 2575 OF 2023 (CS-RES)

BETWEEN:

1. SRI S V MURALIDHARA
S/O S V N ACHAR
AGED ABOUT 73 YEARS
NO 12, SFHS SARASWATHIPURAM
NANDINI LAYOUT
BENGALURU – 560 096
2. SMT GOWRAMMA
W/O NINGEGOWDA
AGED ABOUT 77 YEARS
NO 3680 8TH CROSS
13TH MAIN NEAR CORPORATION PLAY GROUND
DOOPANAHALLI INDIRANAGAR
BENGALURU NORTH HAL II STAGE
BENGALURU 560 008
REP. BY HER GENERAL POWER OF
ATTORNEY HOLDER
SRI B RUDRAIAH
S/O BHADRAIAH
AGED ABOUT 62 YEARS
NO 18, 1ST B MAIN ROAD
KATRIGUPPE, VIVEKANANDA NAGAR
BANASHANKARI III STAGE
BENGALURU 560 085

...PETITIONERS

(BY SRI. B R VISWANATH.,ADVOCATE)





AND:

1. THE STATE OF KARNATAKA
BY ITS PRINCIPAL SECRETARY
TO GOVERNMENT OF KARNATAKA
CO OPERATIVE DEPARTMENT
M S BUILDING , DR AMBEDKAR VEEDHI
BENGALURU 560 001
2. THE REGISTRAR OF SOCIETIES
NO 1, ALI ASKAR ROAD
BENGALURU 560 001
3. THE JOINT REGISTRAR OF CO OPERATIVE SOCIETIES
BANGALORE REGION SAHAKARA SOUDHA
NO 146 3RD FLOOR 3RD MAIN ROAD
8TH CROSS MALLESWARAM
MARGOSA ROAD
BENGALURU 560 003
4. THE ITI EMPLOYEES HOUSING CO OPERATIVE
SOCIETY LTD
DOORAVANI NAGAR
BENGALURU 560 016
REP. BY ITS CHIEF EXECUTIVE
5. SMT.PARVATHAMMA R
AGED ABOUT 44 YEARS
C/O LOKESH R
R/AT NO 42 NAYANDAHALLI
OPP VAJRAPPA DEPOT VTC
BENGALURU SOUTH
BENGALURU 560 039

...RESPONDENTS

(BY SRI.H.K.KENCHE GOWDA .,AGA FOR R-1 TO R-3;
SRI.P.ANAND., ADVOCATE FOR R-4;
SRI.DEVIPRASAD SHETTY., ADVOCATE FOR R-5)



THIS WP IS FILED UNDER AIRTELCE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER BEARING NO. JRB/MD/32/2021-21 DATED 16/12/2022 PASSED BY THE R-3 VIDE ANNEXURE-E.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

1. The petitioner has filed this writ petition seeking the following reliefs:

- (i) To quash the order bearing No.JRB/MD/32/2021-21 dated 16/12/2022 passed by respondent No.3 vide Annexure-E.
- (ii) To direct respondent Nos.1 to 4 to cancel the sale deed dated 21.12.2022 executed in favour of respondent No.5 vide Annexure 'F'.
- (iii) To direct respondent Nos.1 and 2 to initiate such criminal and civil action against respondent No.4 Society and all other who have been aiding them by committing illegal acts of allotment of sites to non-members and junior members.



(iv) Consequential relief or any other appropriate order or direction as this Hon'ble Court deems fit in the facts and circumstances of the case in the ends of justice and equity."

2. Brief facts leading rise to the filing of this petition are as follows:
3. The petitioners are challenging the order dated 16.12.2022 passed by respondent No.3, whereby, respondent No.3 has vacated the earlier interim order granted exercising of quasi-judicial powers, the impugned order dated 16.12.2022 has been passed while exercising administrative powers, that too without affording any kind of opportunity. Further, behind the back of the petitioners, respondent No.3 had vacated the interim order and respondent No.4 has registered the sites in favour of respondent No.5 illegally, though, she is not a member of the Society, which is contrary to the Bye-laws of the Society.



4. Learned Additional Government Advocate, filed a memo along with certain documents showing that pursuant to Annexure 'E', the Government has issued a direction to the respondent No.4-Society to cancel the sale deeds executed and produced a copy of the said order. He submits that in view of the order passed by the Government, pursuant to Annexure 'E', nothing survives for further consideration in this petition.
5. Learned Additional Government Advocate also submits that a criminal complaint was filed under Section 109 of the Karnataka Co-operative Societies Act, 1959. As the Government has already initiated proceedings against the Board of Directors of respondent No.4 Society, in view of the same, nothing survives for consideration in this writ petition.
6. In view of the above, I proceed to pass the following order:



ORDER

- (I) The writ petition is ***disposed of*** as having rendered *infructuous*.
- (II) In view of the disposal of the petitions, pending interlocutory applications, if any, do not survive for consideration and are accordingly disposed of.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

RK
List No.: 2 Sl No.: 17