



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. 5369 OF 2026 (S-RES)

BETWEEN:

S. L. VENKATESH,
S/O LATE S. G. LAKSHMI NARAYAN SHETTY,
AGED ABOUT 67 YEARS,
RETIRED AS SDA FROM
URBAN DEVELOPMENT CELL,
OFFICE OF DEPUTY COMMISSIONER
RAMANAGARA,
BENGALURU SOUTH DISTRICT,
KARNATAKA – 562 159

...PETITIONER

(BY SRI. M. SUBRAHMANYA BHAT, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY PRINCIPAL SECRETARY,
FOR DIRECTORATE OF MUNICIPAL ADMINISTRATION
9TH AND 10TH FLOOR, VISHVESHWARIAH TOWER,
AMBEDKAR ROAD, SAMPANGI RAMA NAGAR,
VASANTH NAGAR BENGALURU,
KARNATAKA – 560 001.
2. DIRECTOR
DIRECTORATE OF MUNICIPAL ADMINISTRATION
9TH AND 10TH FLOOR, VISHVESHWARIAH TOWER
AMBEDKAR ROAD, SAMPANGI RAMA NAGAR,
VASANTH NAGAR, BENGALURU
KARNATAKA – 560 001.
3. DEPUTY COMMISSIONER
DIRECTOR OF MUNICIPAL ADMINISTRATION
9TH AND 10TH FLOOR, VISHVESHWARIAH TOWER
AMBEDKAR ROAD, SAMPANGI RAMA NAGAR,



VASANTH NAGAR, BENGALURU,
KARNATAKA – 560 001.

4. DISTRICT TREASURY OFFICER
MINI VIDANA SOUDHA,
RAMANAGARA.
5. ASSISTANT DIRECTOR
PENSION, SMALL SAVINGS AND ASSETS LIABILITY
MONITORING DEPARTMENT, NO.8,
GANGADARESHWARA NILAYA,
BEHIND K S R T C BUS STOP,
BHOJANNA BUILDING, IJURU,
RAMANAGAR.
6. PROJECT DIRECTOR
DISTRICT URBAN DEVELOPMENT CELL,
OFFICE OF THE DEPUTY COMMISSIONER,
BENGALURU SOUTH, RAMANAGAR.

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE, AGA)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO DIRECTING THE
RESPONDENTS TO RESTORE THE ANNUAL INCREMENT TO
1.4.2019 AND FURTHER DIRECT THEM TO PAY A SUM OF RS.
48,223/ WHICH IS RECOVERED FROM HIM IN THE PRETEXT OF
SALARY PAID IN EXCESS AFTER WITHHOLDING THE INCREMENT
WHICH FELL DUE ON 01.04.2019, ALONG WITH INTEREST AT THE
RATE OF 8 PERCENT PER ANNUM AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING,
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:

- “a) Issue a writ of mandamus directing the Respondents to restore the annual increment to 1.4.2019 and further direct them to pay a sum of Rs.48,223/0 which is recovered from him in the pretext of salary paid in excess after withholding the increment which fell due ton 1.4.2019, along with interest at the rate of 8% per annum;*
- b) Issue a writ of Mandamus directing the Respondents to sanction and release forthwith all terminal benefits, including pension/arrears of pension, commutation of pension, DCRG, EL encashment and other retrial dues, lawfully due to the Petitioner, with interest at the rate of 8% per annum;*
- c) Direct the Respondents to grant all consequential monetary benefits, including revision of pension, arrears and interest;*
- d) Pass such other or further orders as this Hon'ble Court may deem fit in the facts and circumstances of the case, in the interest of justice and equity.”*

2. Heard learned counsel for the petitioner and learned AGA for the respondents and perused the material on record.

3. Heard learned counsel for the petitioner and learned AGA for the respondents and perused the material on record.



4. A perusal of the material on record will indicate that the petitioner, who was working as a Second Division Assistant in the Town Municipal Corporation, Ramnagara, was kept under suspension with effect from 31.10.2011 on the ground that the said suspension was pending enquiry to be initiated against him in connection with irregularities of the year 2005-2006 and 2009-2010 in Town Municipal Corporation, Magadi. Subsequently, on 27.03.2012, the suspension of the petitioner was revoked and he was reinstated as SDA in the District Urban Development Cell, Ramanagara. Subsequently, no enquiry was conducted by the respondents against the petitioner, who ultimately attained the age of superannuation and retired on 30.06.2019. It is the grievance of the petitioner that despite no enquiry being conducted against him and suspension order having been revoked, all the benefits accruing in favour of the petitioner had not been disbursed or paid to him and as such petitioner is before this court by way of the present petition.

5. Per contra, Learned AGA on instructions submits that after the order of revocation of the suspension of the petitioner, the respondents have not initiated any enquiry as against the petitioner



and that the petitioner had attained the age of superannuation on 30.06.2019.

6. In view of the aforesaid facts and circumstances, in the light of the undisputed fact that the petitioner's suspension was revoked as long back as on 27.03.2012, subsequent to which no enquiry was conducted against him prior to his retirement or even thereafter, even till today, coupled with the fact that the petitioner attained the age of superannuation on 30.06.2019, I deem it just and appropriate to dispose of this petition directing the respondents to release/disburse all terminal benefits, monies etc., payable to the petitioner including the withheld increment(s) in favour of the petitioner, in accordance with law, after due verification, together with applicable interests, if any, within a period of three months from the date of receipt of a copy of this order.

7. Subject to the aforesaid observations and directions, the petition stands disposed of.

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