



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 5654 OF 2022 (S-RES)

BETWEEN:

SMT ASHA B M
D/O B MANJAPPA
AGED ABOUT 44 YEARS
WORKING AS ASSISTANT TEACHER
SRI THIRTHALINGESHWARA NATIONAL HIGH SCHOOL
BELAGUTTI NYAMATHI, HONNALI TALUK
DAVANAGERE DISTRICT-577218
R/AT SRINIVASA KRUPA
1ST FLOOR, 6TH CROSS, 1ST STAGE
MALLESHWARA NAGARA
SHIVAMOGGA-577201.

...PETITIONER

(BY SRI. SUBRAMANYA BHAT M., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY ITS PRINCIPAL SECRETARY
PRIMARY & SECONDARY EDUCATION DEPARTMENT
M S BUILDING, BANGALORE-560001.
2. THE COMMISSIONER
FOR PUBLIC INSTRUCTIONS
NRUPATHUNGA ROAD
BANGALORE-560001.
3. THE DIRECTOR
SECONDARY EDUCATION
DEPARTMENT OF PUBLIC INSTRUCTIONS
NRUPATHUNGA ROAD
BANGALORE-560001





4. DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS
DAVANAGERE DISTRICT
DAVANAGERE-577001.
5. THE BLOCK EDUCATION OFFICER
HONNALI TALUK, HONNALI
DAVANAGERE DISTRICT-577217.
6. THE NATIONAL EDUCATION SOCIETY (R)
BALARAJ URS ROAD
SHIVAMOGGA-577201
BY ITS SECRETARY.
7. THE HEAD MASTER
SRI THIRTHALINGESHWARA
NATIONAL HIGH SCHOOL
BELAGUTTI, HONNALI TALUK
DAVANAGERE DISTRICT-577201.
8. GOPAL M
S/O SRI MASTEPPA
AGED ABOUT 45 YEARS
WORKING AS TEMPORARY TEACHER
SRI THIRTHALINGESHWARA
NATIONAL HIGH SCHOOL
BELAGUTTI, HONNALI TALUK
DAVANAGERE DISTRICT-577201.

...RESPONDENTS

(BY SRI. G RAMESH NAIK, AGA FOR R1 TO R5:
SRI. M NARAYAN BHAT., ADVOCATE FOR R6 & R7)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE OFFICIAL MEMORANDUM BEARING NO.ANU 1:SHA PROU.SHA.VE.ANU150/2017-18, DATED: 19.04.2021 ISSUED BY THE R-4 UNDER ANNEXURE-V CONSEQUENTLY QUASH THE ORDER 07.02.2022 ISSUED BY THE R-2 IN APPEAL NO.01/2022 UNDER ANNEXURE-AF BY ISSUING THE WRIT IN THE NATURE OF CERTIORARI AND ETC.



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

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

1. In this writ petition, the petitioner is challenging the Official Memorandum dated 19.04.2021 issued by respondent No.4 vide Annexure-V, whereby the petitioner has been treated as an excess teacher and transferred to Sri.Jadeya Shankara Swamy High School, Honnali Taluk, an Institution run by respondent No.6; and the order dated 07.02.2022 passed by the respondent No.2 vide Annexure-AF, whereby the appeal filed by the petitioner under Section 130 of the Karnataka Education Act, 1983, has been dismissed, confirming the order dated 19.04.2021.

2. The case of the petitioner is that she was appointed as Assistant Teacher, Grade-II (Kannada Language) on 15.07.2007 and was posted to National High School, Chiluru, Honnali Taluk, Davanagere District. Thereafter,



petitioner was transferred to Sharadadevi Girls High School, Shivamogga in the year 2011, which is run by respondent No.6. Subsequently, petitioner has been transferred to Thirthalingeshwara National High School, Belaguthi Davanagere, also run by respondent No. 6, where she was treated as an excess teacher on account of reduction in student strength. Consequently, she has been called for counselling. By impugned Official Memorandum dated 19.04.2021, the petitioner has been transferred to Sri.Jadeya Shankara Swamy High School, Honnali Taluk, vide Annexure-V. Aggrieved by the same, she filed Appeal No.1/2022 before the Authority under Section 130 of Karnataka Education Act. The Appellate Authority, by order dated 07.02.2022, dismissed the appeal vide Annexure-AF. Hence, the petitioner is before this Court challenging the Official Memorandum dated 19.04.2021 at Annexure-V and order dated 07.02.2022 at Annexure-AF.

3. The only ground urged by the petitioner is that no notice was served on her prior to conducting the



counselling for transfer of excess teachers. Consequently, she did not appear on the date of counselling.

4. The learned Additional Government Advocate submits that notice had been issued to the petitioner, but she failed to attend the counselling. It is further submitted that the post at Sri.Jadeya Shankara Swamy High School, Honnali Taluk, remains vacant even as on today.

5. In view of the above submission and in the interest of justice, the petitioner is directed to report for duty at Sri.Jadeya Shankara Swamy High School, Honnali Taluk, within one week from today.

6. It is made clear that the petitioner shall not be entitled to any monetary benefits for the period from 19.04.2021 till the date she reports for duty at Sri.Jadeya Shankara Swamy High School, Honnali Taluk.

7. Except for salary and seniority, the period from 19.04.2021 till the date she reports for duty shall be



considered for all other service benefits. The same shall, however, be subject to any departmental enquiry, if initiated by the respondents.

8. With the above observations, the writ petition is **disposed of.**

Sd/-
(H.T. NARENDRA PRASAD)
JUDGE

DM
LIST NO.: 1 SL NO.: 31