



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 9355 OF 2024 (GM-PDS)

BETWEEN:

KUMARI GAMINI B L,
AGED ABOUT 19 YEARS,
D/O LATE LOKESHA,
R/O BALE ATTIGUPPE VILLAGE,
PANDAVAPURA TALUK,
MANDYA DISTRICT-571 401

...PETITIONER

(BY SRI KESHA CHANDRA S P & SRI SHIVARAMU H C,
ADVOCATES)

AND:

1. STATE OF KARNATAKA,
REP. BY ITS PRINCIPAL SECRETAREY
TO GOVERNMENT,
DEPARTMENT OF FOOD & CIVIL SUPPLIES,
VIKAS SOUDHA, DR B R AMBEDKAR VEEDHI,
BENGALURU 560 001.
2. THE JOINT DIRECTOR OF
FOOD CIVIL SUPPLIES,
MANDYA DISTRICT, MANDYA 571 401.
3. THE THASILDAR,
PANDAVAPURA TALUK,
MANDYA DISTRICT 571 434.

...RESPONDENTS

(BY SMT. SARITHA KULKARNI, AGA FOR R-1 TO R-3)

THIS WP IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED

Digitally signed
by SHWETA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



ENDORSEMENT DATED 26/27.02.2024 ISSUED BY THE R-2 IN NO. FOOD/FPD/CR/2/2023-24 AT ANNEX-C ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs;

"i) issue writ of certiorari or similar writ or order or direction to quash the impugned endorsement dated 26/27.02.2024 issued by the second respondent in No.Food/FPD/CR/2/2023-24 at Annexure - C;

ii) issue a writ of mandamus to the second respondent to issue authorization in favour of the petitioner forthwith. and allot food grains; and

iii) issue any other appropriate writ or order or direction to the respondents deem fit in the circumstances of the case."

2. Petitioners' father was granted authorisation to run the Fair Price Depot at Bale Attiguppe Village, Pandavapura Taluk, Mandya District which is valid until 30.01.2023. However, by that time the petitioners' father had already made an application for renewal of the authorisation which was pending consideration. In the meantime, the petitioner's



father unfortunately expired on 24.04.2023 leaving behind the petitioner and her younger brother, mother having expired on 09.08.2014.

3. Subsequent to the expiry of the father on 24.04.2023, the petitioner made an application for transfer of authorisation on 20.07.2023 which came to be rejected on 26.02.2024, on the ground that the petitioner was a minor as on the date on which the application for transfer of authorisation has been made. It is challenging the same, that the petitioner is before this Court seeking for the aforesaid reliefs.
4. Having gone through the documents and having considered the facts, what would have to be considered of importance is that the transfer of authorisation is sought to be made on a compassionate basis, and as such, the application is considered, and the respondents are required to be compassionate while doing so.



5. The technicality that has crept in the matter is that though the father had expired on 24.04.2023, an application was made on 20.07.2023, and the petitioner had attained majority only on 16.09.2023, but what is to be looked into is that the rejection order was not passed prior to 16.09.2023 but was passed on 20.06.2024, by which date the petitioner was a major. This aspect was completely lost sight of by the respondents. Therefore, the respondents have not acted with the compassion that was required in the present matter.
6. Moreso, when the petitioner having the younger brother, the mother and father having expired, there is no one to look after them and as such it was but required for the transfer of the authorisation to be made on a compassionate basis.
7. In that view of the matter, I pass the following;

ORDER

- i. The writ petition is ***allowed.***



- ii. A certiorari is issued, the endorsement dated 26/27.02.2024 issued by respondent No.2 in No.Food/FPD/CR/2/2023-24 at Annexure-C is quashed.
- iii. A mandamus is issued, directing respondent No.2 to transfer the authorisation in favour of the petitioner on compassionate basis within a period of three weeks from the date of receipt of a copy of this order.

SD/-
(SURAJ GOVINDARAJ)
JUDGE

SR
List No.: 1 Sl No.: 43