



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT APPEAL NO. 811 OF 2026 (GM-CC)

BETWEEN:

1. A VELUMURUGAN
AGED ABOUT 53 YEARS
S/O LATE ARUMUGAM
2. MS. V. ABHIRAMI
AGED ABOUT 28 YEARS
D/O A. VELUMURUGAN
3. MR. V. SHIVA KUMAR
AGED ABOUT 24 YEARS
S/O A. VELUMURUGAN

ALL ARE RESIDING AT M.C. HALLI VILLAGE
TARIKERE TALUK - 577 228
CHIKKAMAGALUR DISTRICT

...APPELLANTS

(BY SRI P.S. RAJAGOPAL, SENIOR ADVOCATE FOR
SRI CHAMU SHIVA SHASTRY, ADVOCATE)

AND:

1. THE TAHSILDAR
TARIKERE TALUK
CHIKKAMAGALUR DISTRICT - 577 228





2. THE DISTRICT CASTE
VERIFICATION COMMITTEE
CHIKKAMAGALURU DISTRICT
CHIKKAMAGALURU - 577 101
REPRESENTED BY ITS CHAIRMAN
3. THE DIRECTOR OF TRIBAL WELFARE
LOTUS BUILDING,
RACE COURSE ROAD,
BENGALURU - 560001

...RESPONDENTS

(BY SMT. NAMITHA MAHESH B.G., AGA)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO ALLOW THIS APPEAL, AND CONSEQUENTLY SET ASIDE THE ORDER DATED 02/02/2026, PASSED BY THE LEARNED SINGLE JUDGE IN THE AFORESAID W.P.NO.24268/2021 (GM-CC) & ETC.

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU ,CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL JUDGMENT

(PER: HON'BLE MR. VIBHU BAKHRU,CHIEF JUSTICE)

1. The appellants have filed the present appeal impugning an order dated 02.02.2026 passed by the learned Single Judge of this Court in W.P.No.24268/2021 (GM-CC). The



appellants had filed the said petition impugning an order dated 12.11.2021 passed by the respondent No.3 - Directorate of Tribal Welfare, by which the said Authority remitted the matter to respondent No. 2 - the District Caste Verification Committee **[the Committee]** to consider the appellants' claim that they belong to Schedule Tribes afresh.

2. The appellants claim that they belong to the Valmiki-Nayaka Community and were born in Karnataka. They state that their forefathers had migrated to Karnataka from Tamil Nadu in the early 1950s.

3. By virtue of the notification dated 18.09.1976 issued by the Government of Karnataka, the Nayaka community was declared as a Scheduled Caste/Scheduled Tribe in the State of Karnataka. Subsequently, the Valmiki community was also declared as a Scheduled Tribe in the State of Karnataka by virtue of Circular dated 28.06.1991 issued by the Government of Karnataka.

4. The appellants were issued caste certificates by virtue of order dated 06.12.2007 passed by the respondent No.1.



However, the said caste certificates were cancelled as per the order dated 31.01.2009 issued by the Assistant Commissioner based on which the respondent No.1, by order dated 16.02.2009 effected cancellation of the caste certificates. The said order was challenged by the writ petitioners in WP.No.13839/2009 [GM-CC], which was allowed by an order dated 13.06.2009.

5. Thereafter, the caste certificates of the appellants were cancelled on more than one occasion between 2009 and 2016, and the same was the subject matter of challenge in various writ petitions. The learned Single Judge noted in the impugned order that although the appellants had succeeded in the writ petition, the court's decision was not on the merits of the appellants' claim; it rested on faulting the decision made by the concerned authorities either on the grounds of the competence of the Authority or on account of procedural flaws.

6. The present appeal arises from an order dated 29.04.2019 passed by the Committee cancelling the appellant's caste certificate. The appellants had filed an



appeal against the said order before the Appellate Authority, which was disposed of by an order dated 12.11.2021.

7. The Appellate Authority had noted that the Sub-Registrar, Kadaladi, had addressed a letter to the President of the Dalit Sangharsha Federation, New Town, Bhadravathi, regarding the birth certificate and the birth entry of the appellants' father. The Deputy Commissioner has also sought clarification from the District Collector, Tiruvannamalai, and the District Collector has responded by a letter dated 02.02.2019. Concededly, the said letters do not support the appellant's claim of belonging to a Scheduled Tribe. However, these letters/communications were not served on the appellants; therefore, on this ground, the Appellate Authority found that the orders passed by the Committee were in gross violation of the principle of natural justice.

8. In view of the above, the Appellate Authority had passed the following order :

"ORDER

The impugned order dated 29.04.2019 bearing No. Ja. Pa. Sa:CR:03:2009-10 passed by the respondent produced at Annexure A is hereby set



aside. The matter is remitted back to the Respondent. The Respondent is hereby directed to consider the claim of the appellant afresh, after serving copies of all communications to the appellant. Further, it is made clear that the District Caste Verification Committee shall refer the matter to the Directorate of Civil Rights Enforcement Cell as per the law laid down by the Hon'ble Supreme court in the case of Kum. Madhuri Patil and another Vs. Add. Commissioner Tribal Development and others reported in AIR 1955 SC 94. The Inspector of Civil Rights Enforcement Cell should go to the local place of residence from where the appellant and ancestors originally hail and personally verify and collect all the facts of the social status claimed by the appellant herein and also verify the genuineness of the letters issued by the District Collector, Thiruvannamallai in his letter dated 2.3.2018, the Tahsildar, Kalasapakkam in his letter dated 26.8.2013 and letter dated 25.1.2010 addressed by the Sub-Registrar, Kadaladi to the President, Dalita Sangharsha Federation, New Town, Bhadravathi and shall submit a report to the DCVC. The DCVC shall serve a copy of the same to the appellant and also to the complainant viz., Shivalingappa, President, Dalita Sanghatanegala Okkuta, G.K. Bhimappa, President, District Valmiki Sangha, Chickmagalur. Thereafter after hearing both the parties appropriate order shall be passed within 6 months from the date of receipt of the copy of the order. All other contentions of both the parties are kept open.

This order is pronounced in the open-Court, on the 12th day of November, 2021."

9. The appellants have challenged the said order in the writ petition. However, the learned Single Judge did not find any merit in the said challenge. A plain reading of the order passed by respondent No.3 indicates that the Appellate



Authority had mainly directed that the appellants' claim be investigated and verified, and an order be passed after affording an opportunity to the appellants to address the communications received by the concerned Authorities. Clearly, the appellants cannot be heard to object to the direction to verify their claim of belonging to a Scheduled Tribe.

10. In view of the above, we find no grounds to interfere with the impugned order. The appeal is accordingly dismissed.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(C.M. POONACHA)
JUDGE**

SD
List No.: 2 Sl No.: 15