



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE S.G.PANDIT

AND

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION NO. 8367 OF 2021 (S-KSAT)

BETWEEN:

SMT. M C SRIVALLI @ S S SHREE
D/O SRI M C T NARAYAN
AGED ABOUT 62 YEARS
OCCUPATION: FORMER FDC
FORMERLY WORKING AS
FIRST DIVISION ASSISTANT
DEPARTMENT OF YOUTH SERVICES
AND SPORTS
STADIUM MANAGEMENT COMMITTEE
M.S. BUILDINGS
DR. AMBEDKAR VEEDHI
BENGALURU - 560001.

NOW R/AT NO.26, 10TH CROSS
15TH MAIN, J C NAGAR
BENGALURU - 560086.



...PETITIONER

(BY SRI. NANDA KISHORE, ADV.)

AND:

1. THE STATE OF KARNATAKA
BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF YOUTH
EMPOWERMENT AND SPORTS
M.S. BUILDING
DR. AMBEDKAR VEEDHI
BENGALURU - 560001.



2. THE UNDER SECRETARY TO THE GOVERNMENT
DEPARTMENT OF YOUTH
EMPOWERMENT AND SPORTS
M.S. BUILDING, DR. AMBEDKAR VEEDHI
BENGALURU - 560001.
3. THE COMMISSIONER
YOUTH EMPOWERMENT AND SPORTS SECRETARY
STADIUM MANAGEMENT COMMITTEE
STATE YOUTH CENTRE
NRUPATHUNGA ROAD,
BENGALURU - 560001.

...RESPONDENTS

(BY SRI. B RAVINDRANATH, AGA)

THIS PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION AS THE CASE MAY BE; A). CALL FOR RECORDS IN APPLICATION NO.94/2017 IN THE MATTER BEFORE THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL, BENGALURU 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 S.G.PANDIT
AND
HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

(PER: HON'BLE MR. JUSTICE S.G.PANDIT)

Petitioner is before this Court questioning order dated 06.11.2020 in Application No.94/2017 passed by the Karnataka State Administrative Tribunal, Bengaluru (for short "Tribunal"), refusing to quash Endorsement dated



19.09.2016, rejecting petitioner's prayer for regularization of service in the third respondent - Office.

2. Heard Dr. Nandakumar, learned counsel for the petitioner and Sri. B Ravindranath, learned AGA for respondents and perused the entire writ petition papers.

3. Learned counsel for the petitioner submits that the petitioner was appointed as FDA in the third respondent-office on 31.05.1984. However, he submits that Government disputes the said date and according to the Government, the petitioner is said to have been appointed on 04.12.1984. Subsequently, the petitioner retired from service on attaining the age of superannuation on 30.11.2014. However, her services have not been regularized. It is also submitted that the petitioner was before the Tribunal earlier in Application No.90/2015 seeking for a direction to consider her case for regularization and the Tribunal by order dated 04.12.2015 had directed to consider the recommendation made by



second respondent in Letter dated 16.05.2014 in relation to the claim of the petitioner for regularization of her services and pass appropriate order in the matter. It is submitted that in pursuance to the said direction, the impugned Endorsement has been issued.

4. Learned counsel for the petitioner would further submit that since the petitioner has served for nearly 30 years, the petitioner would be entitled for regularization. He submits that continuance in the service for a long period would mean that the services of petitioner was needed and that the petitioner was continued in the sanctioned post. Learned counsel would place reliance on the order dated 11.03.2026 in W.P.No.37850/2025 (S-KSAT) between **State of Karnataka and Another v. Smt. Lakshmi Devi** in respect of a Attender-cum-Sweeper in the third respondent – Office and claims similar relief. He points out that petitioner therein had been appointed on 06.07.1995. Whereas, the petitioner in the present writ petition was appointed in the year 1984.



Therefore, he submits that the petitioner is placed in a better position and seeks for identical direction.

5. Per contra, learned AGA Sri. B Ravindranath vehemently opposes the prayer of the petitioner and submits that the claim of the petitioner for regularization is opposed to the decision of the Hon'ble Court particularly in ***Secretary, State of Karnataka and Others Vs. Umadevi (3) and Others***, reported in ***(2006) 4 SCC 1***. Learned AGA would submit that the petitioner would not fulfill the criteria laid down in ***Umadevi (supra)*** for regularization as such the authorities are justified in rejecting the case of the petitioner for regularization. Learned AGA would specifically contend that the petitioner had approached the Tribunal in the year 2003 and the said application was dismissed, which is suppressed in the present proceedings. In response, learned counsel for the petitioner would submit that the said application was dismissed on account of maintainability and not on merits.



6. The petitioner was appointed on daily wages/temporary basis on 31.05.1984 and the Government disputes the said date of petitioner's appointment by submitting that the petitioner was appointed as FDA on 04.12.1984 in the third respondent-Office. The State would not dispute the appointment of petitioner on temporary basis. It only disputes the date of appointment. The petitioner has served for more than 30 years and retired from service on attaining the age of superannuation in the same status of daily wager/temporary employee. The continuance of the petitioner for nearly 30 years would lead to a conclusion that the post was permanent in nature and there was necessity of that post and services of the petitioner. In an identical situation, this Court by order dated 11.03.2026 in W.P.No.37580/2025, directed the respondents to regularize the services of an Attendar-cum- Sweeper in the same third respondent – office. This Court in the above stated order has considered the latest decision of



the Hon'ble Apex Court in ***Dharam Singh and Others vs. State of U.P. and Another, 2025 SCC Online SC 1735, Umadevi (supra)*** as well as another decision of a Co-ordinate Bench of this Court in ***Sri Thyagaraju v. The State of Karnataka and Another***, in *W.P.No.3805/2023 dated 14.07.2025* and directed regularization of the petitioner therein.

7. The above decisions would aptly apply to the facts and circumstances of the present case. Hence, the following:

ORDER

- i. The writ petition stands allowed in terms of order dated 11.03.2026 passed in W.P.No.37580/2025 (S-KSAT).
- ii. The order dated 06.11.2020 passed by the Tribunal in Application No.94/2017 is quashed.



- iii. Consequently, Endorsement bearing No.DYS
05 YDS 2015 dated 19.09.2016
(Anenxure-66) also stands quashed.
- iv. The respondents are directed to regularize
the services of the petitioner and settle the
pensionary benefits applicable to the
petitioner within a period of three months
from today.

**Sd/-
(S.G.PANDIT)
JUDGE**

**Sd/-
(K. V. ARAVIND)
JUDGE**