



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO. 8227 OF 2020 (GM-RES)

BETWEEN:

SRI RAGHAVENDRA SLNT RICE TECH
SIRA ROAD, OORKERE,
TUMAKURU - 572 106,
BY ITS PROPRIETOR,
SRI. K.L. RAGHAVENDRA,
AGED ABOUT 41 YEARS

...PETITIONER

(BY SRI. T. BASAVARAJ, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY ITS SECRETARY,
DEPARTMENT OF AGRICULTURE,
VIDHANA SOUDHA,
BANGALORE - 560 001
2. THE PRINCIPAL SECRETARY
DEPARTMENT OF CO OPERATION,
M.S. BUILDING,
BENGALURU - 560 001
3. ADDITIONAL CHIEF SECRETARY
GOVERNMENT OF KARNATAKA,
DEPARTMENT OF COMMERCE AND INDUSTRY,
VIKASA SOUDHA,
BANGALORE - 560 001



4. THE JOINT DIRECTOR
DISTRICT INDUSTRY CENTRE,
TUMAKURU DIST,
TUMAKURU - 572 101
5. THE DIRECTOR OF AGRICULTURAL
PRODUCE MARKETING
NO. 16, 2ND RAJBHAVAN ROAD,
BENGALURU - 560 001
6. THE SECRETARY,
AGRICULTURAL PRODUCE MARKET COMMITTEE
BATWADI, TUMAKURU - 572 101

...RESPONDENTS

(BY SRI. MAHANTESH SHETTAR, ADVOCATE FOR R1 TO R5
SRI. T. SWAROOP, ADVOCATE FOR R6)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT R-2 TO TAKE IMMEDIATE STEPS TO EFFECT AMENDMENT TO SECTION 65 OF APMC ACT SO AS TO GIVE THE BENEFIT OF MARKET FEE EXEMPTION FOR 10 YEARS TO THE PERSONS LIKE PETITIONER UNDER THE KARNATAKA AGRI BUSINESS AND FOOD PROCESSING POLICY 2015 DATED 11.12.2015 ISSUED BY R-1 VIDE ANNEXURE-A TO THE WRIT PETITION 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 E.S.INDIRESH



ORAL ORDER

Heard learned counsel appearing for the parties.

2. In this writ petition, the petitioner has sought for a direction to Respondent No.4 to withdraw 10 years of Market Fees Exemption Certificate dated 30.11.2019 issued as per 2011 Policy (Annexure-D) and to further direct Respondent No.4 to issue 10 years Market Fees Exemption Certificate in favour of the petitioner as per the Karnataka Agri Business and Food Processing Policy, 2015 vide Government Order dated 11.12.2015 published in Karnataka Gazette dated 21.01.2016 (Annexure-A).

3. It is submitted by learned counsel for the petitioner that the petitioner is not pressing prayer (a) and (c) to the writ petition. It is argued by Sri.T.Basavaraj, learned counsel for the petitioner that, though the benefit has been granted by the Respondent-State as per the Policy prevailing during 2015 and the same has not been extended to the petitioner, a writ of mandamus be issued as sought and therefore, sought for interference of this Court.



4. Per contra, learned AGA submitted that, it is in the Wisdom of the Government to extend the benefit based on the Policy Decision of the Government and this Court is having limited jurisdiction to interfere with the same.

5. In the light of the submission made by the learned counsel for the parties, by looking into the prayer made in writ petition is concerned, the petitioner has sought for a writ of mandamus to the respondents herein to reconsider the policy decision of the Government which is not within the domain of the Court under Article 226 and 227 of the Constitution of India.

6. The Hon'ble Apex Court in the case of ***Federation Haj PTOs of India vs. Union of India*** reported in ***(2020) 18 SCC 527***, has dealt with this aspect and has held that generally the constitutional Courts will not interfere with the policy matters of the Government and the same is within the scope of Rule making power rested with the State Government. Hence, I am of the view that the prayer made in the writ petition cannot be entertained. However, it is open for the petitioner to approach the Competent Authority by way of a representation seeking



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implementation or modification of the public policy, if so
advised.

Sd/-
(E.S.INDIRESH)
JUDGE

rs/CT-SG
List No.: 1 Sl No.: 35