



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO. 31966 OF 2019 (S-RES)

BETWEEN:

1. S. CHANDRASHEKAR
S/O. LATE SRIKANTAIAH,
AGED ABOUT 47 YEARS,
OCC: WATERMAN,
TOWN MUNICIPAL COUNCIL,
T. NARASIPURA,
MYSORE DISTRICT - 571 110.
2. GIRISH
S/O. VENKATAPPA T.P.
AGED ABOUT 45 YEARS,
OCC: WATERMAN,
TOWN MUNICIPAL COUNCIL,
T. NARASIPURA,
MYSORE DISTRICT - 571 110.
3. B. MAHADEVA
S/O. LATE BHUJANGAIAH,
AGED ABOUT 42 YEARS,
OCC: WATERMAN,
TOWN MUNICIPAL COUNCIL,
T. NARASIPURA,
MYSORE DISTRICT-571 110.
4. MARISWAMY
S/O. CHIKKANANJE GOWDA,
AGED ABOUT 41 YEARS,
OCC: WATERMAN,
TOWN MUNICIPAL COUNCIL,





T. NARASIPURA,
MYSORE DISTRICT-571 110.

5. N.M. MAHADESHA
S/O. N. M. MAHADEVAIAH,
AGED ABOUT 43 YEARS,
OCC: WATERMAN,
TOWN MUNICIPAL COUNCIL,
T. NARASIPURA,
MYSORE DISTRICT - 571 110.
6. R. MAHADEVA
S/O. LATE RAMGEGOWDA,
AGED ABOUT 43 YEARS,
OCC: WATERMAN,
TOWN MUNICIPAL COUNCIL,
T. NARASIPURA,
MYSORE DISTRICT - 571 110.
7. NARAYANASWAMY
S/O. LATE SANJEVAIAH S.
AGED ABOUT 48 YEARS,
OCC: WATERMAN,
TOWN MUNICIPAL COUNCIL,
T. NARASIPURA,
MYSORE DISTRICT - 571 110.
8. PRAKASHA
S/O. LATE PUTTASIDAIAH,
AGED ABOUT 44 YEARS,
OCC: WATERMAN,
TOWN MUNICIPAL COUNCIL,
T. NARASIPURA,
MYSORE DISTRICT - 571 110.
9. V. PRAKASH KUMAR
S/O. LATE VEERABHADRAPPA,
AGED ABOUT 40 YEARS,
OCC: WATERMAN,
TOWN MUNICIPAL COUNCIL,
T. NARASIPURA,, MYSORE DISTRICT - 571 110.



10. K. SATISHA
S/O. LATE KRISHNAPPA,
AGED ABOUT 35 YEARS,
OCC: WATERMAN,
TOWN MUNICIPAL COUNCIL,
T. NARASIPURA,
MYSORE DISTRICT-571 110.

11. UDAYAKUMAR. S
S/O. LATE R. MANI,
AGED ABOUT 40 YEARS,
OCC: WATERMAN,
TOWN MUNICIPAL COUNCIL,
T. NARASIPURA,
MYSORE DISTRICT-571 110.

...PETITIONERS

(BY SRI. VIGNESHWAR S. SHASTRI, SENIOR COUNSEL FOR
SRI. GURURAJ R., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY,
DEPARTMENT OF URBAN DEVELOPMENT,
M.S. BUILDING,
DR. AMBEDKAR VEEDHI,
BANGALORE - 560 001.
2. DIRECTOR OF MUNICIPAL ADMINISTRATION
VISHWESHWARAIHA TOWER,
9TH FLOOR,
DR. AMBEDKAR VEEDHI,
BANGALORE - 560 001.
3. DEPUTY COMMISSIONER
MYSORE,
MYSORE DISTRICT - 570 001.



4. TOWN MUNICIPAL COUNCIL
T. NARASIPURA,
MYSORE DISTRICT - 571 110,
REPRESENTED BY ITS CHIEF OFFICER.

...RESPONDENTS

(BY SRI. G. RAMESH NAIK, AGA FOR R1 TO R3.

SRI. C. JAGADISH, ADVOCATE FOR R4)

THIS W.P FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED
12.07.2019 PASSED BY THE R-3 AS PER ANNEXURE-B, DIRECT THE
RESPONDENTS TO EXTEND THE TIME SCALE OF PAY TO THE
PETITIONERS FROM THE DATE IT HAD BECOME DUE.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER
WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

In this petition, the petitioners seeks the following reliefs.

"i) Issue a writ of certiorari or any other appropriate writ, order quashing the order dated 12.07.2019 passed in No.MYSDC - DUDC / EST1 / APPL/02/2018 (E-142328) (C-52648) by the 3rd respondent as per Annexure - R;

ii) Issue a writ of mandamus or any other appropriate writ, order or direction directing the Respondents to extend the time scale of pay to the petitioners from the date it had become due.



iii) Issue a writ of mandamus directing the Respondents to regularize the services of petitioners in their respective posts with all consequential benefits.

iv) Issue any other appropriate writ, order or direction to meet the ends of justice."

2. Heard learned counsel for the petitioners and learned AGA for the respondent Nos.1 to 3 and Sri. C.Jagadish, learned counsel for respondent No.4 and perused the material on record.

3. Learned Senior counsel for the petitioners would reiterate the various contentions urged in the petition and referred to the material on record in order to point out that subsequent to the order dated 14.12.2018 passed by this Court in the earlier round of litigation at Annexure - K in WP.No.24309-24319/2018, respondent No.3 did not provide any opportunity of hearing the petitioners and proceeded to pass the impugned order rejecting the claim for regularization sought for by the petitioners and as such, the impugned order being violative of principles of natural justice deserves to be set-aside on this ground alone.

4. It is also submitted that during the pendency of the present petition, respondent No.4 - Town Municipal council has



addressed communication at Annexure 'V' dated 16.12.2023 to respondent Nos.1 to 3 recommending regularization of the services of the petitioners and as such, the impugned order may be set-aside and the matter remitted back to respondent No.3 for reconsideration of the claim of the petitioners for regularization within a stipulated time frame.

5. In support of his submission, he has placed reliance upon the following judgment:

1. Pawan Kumar and others Vs Union of India and others - SLP(C)No. 29214 of 2019.

2. Bhola Nath Vs The State of Jharkhand & Ors - SLP(C)No. 30762 of 2024.

3. Dharam Singh and others Vs State Of U.P and Anr. - Civil Appeal No(S). 8558 of 2018

4. Jaggo Vs UOI and others - 2024 SCC Online SC 3826.

5. G Sandhya and others Vs State of Karnataka and others - WP NO. 19344/2024 C/w Premakumar M and others Vs State of Karnataka and others - WP No. 49497/2014 in the High Court of Karnataka at Bengaluru.



*6. Dr. Sunitha N Vs Bangalore University
Gnanabharathi and another - WP NO. 25103/2015(S-REG)
in the High Court of Karnataka at Bengaluru.*

*7. Smt. Shanthalakshmi Vs State of Karnataka and
others - WP No.40204/2012 (S-REG) C/w Sri. M
Narayanaswamy and others Vs State of Karnataka and
others - WP No.54553/2014 in the High Court of Karnataka
at Bengaluru.*

6. *Per contra*, learned AGA for respondent Nos.1 to 3 would reiterate various contention urged in the statement of objections and submits that there is no merit in the petition and the same is liable to be dismissed.

7. Learned counsel for respondent No.4 does not dispute that on 16.12.2023, respondent No.4 addressed a communication to respondent Nos.1 to 3 recommending regularization of the services of the petitioners. He also submits that petitioners were initially appointed in the year 2005 pursuant to resolution passed by respondent No.4 - Municipal council and have been discharging their duties as watermen, which are essential services for the functioning of respondent No.4 - Municipal council from 2005 onwards even till today.



8. The aforesaid facts and circumstances and submissions made by both sides will clearly indicate apart from the fact that the impugned order at Annexure - R dated 12.07.2019 passed by respondent No.3 rejecting the claim of the petitioners for regularisation is violative of principle of natural justice, in the light of the subsequent event that has transpired during the pendency of the present petition in that respondent No.4 has addressed communication dated 16.12.2023 to respondent Nos.1 to 3 recommending regularization of the services of the petitioners as watermen and the principles laid down by the Hon'ble Apex Court and this Court in the aforesaid judgment, I deem it just and appropriate to set - aside the impugned order at Annexure - R and remit the matter back to concerned respondent Nos.1 to 3 for reconsideration of the claim of the petitioners for regularisation within a stipulated time frame and in accordance with law.

9. In the result, I pass the following:

ORDER

- (i) The petition is hereby ***allowed***.



- (ii) The impugned endorsement at Annexure-R dated 12.07.2019 issued by respondent No.3 is hereby set aside.
- (iii) The matter is remitted back to the concerned respondent Nos.1 to 3 for reconsideration of the claim of the petitioners for regularization into service bearing in mind the communication at Annexure -V dated 16.12.2023 addressed by respondent No.4 to respondent No.3 and the principles laid down in the judgments referred *supra* and in accordance with law within a period of three months from the date of receipt of copy of this order.

Sd/-
(S.R.KRISHNA KUMAR)
JUDGE

BH
List No.: 1 SI No.: 25