



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 13<sup>TH</sup> DAY OF OCTOBER, 2025**

**BEFORE**

**THE HON'BLE MRS. JUSTICE M G UMA**

**WRIT PETITION NO. 13208 OF 2024 (CS-RES)**

**BETWEEN:**

SRI. K. JAI KUMAR,  
S/O. SRI. S. KRISHNAPPA,  
AGED ABOUT 59 YEARS,  
R/AT. KUMARA GARDEN SUPPLIES,  
3<sup>RD</sup> CROSS, 1<sup>ST</sup> BLOCK, JAYANAGAR,  
BENGALURU - 560 011

...PETITIONER

(BY SRI. GANAPATHY BHAT, ADVOCATE)

**AND:**

1. THE SECRETARY  
THE NURSERYMEN CO-OPERATIVE  
SOCIETY LIMITED, THE SOCIETY  
REGISTERED UNDER SECTION 7  
OF THE KARNATAKA CO-OPERATIVE  
SOCIETIES ACT 1959, REGISTER  
NO.1997/RCS/1964, REGISTERED  
OFFICE AT LALBAGH, K.H. ROAD,  
BENGALURU - 560 027
2. THE PRESIDENT  
THE NURSERYMEN CO-OPERATIVE  
SOCIETY LIMITED, THE SOCIETY  
REGISTERED UNDER SECTION 7  
OF THE KARNATAKA CO-OPERATIVE  
SOCIETIES ACT 1959, REGISTER  
NO.1997/RCS/1964, REGISTERED  
OFFICE AT LALBAGH, K.H ROAD,  
BENGALURU - 560 027
3. THE ADDITIONAL REGISTRAR  
CO-OPERATIVE SOCIETIES

Digitally  
signed by  
NANDINI B G  
Location: High  
Court of  
Karnataka



NO.1, ALI ASKAR ROAD,  
BENGALURU - 560 001

...RESPONDENTS

(BY SRI. VASAGI .R., ADVOCATE FOR R1 & R2  
SRI. YOGESH D. NAIK, AGA FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER DTD 19.07.2019 IN COP.APPEAL NO. 484/2013 PASSED BY THE KARNATAKA APPELLANT TRIBUNAL, AT BENGALURU AS PER ANNEXURE-P AND CONSEQUENTLY QUASH THE IMPUGNED ORDER DTD 16.09.2013 IN A.NI(V.E)NO.D-2/DIS/02/2012-13, PASSED BY THE R-3 AS PER ANNEXURE-M AND QUASH THE IMPUGNED ORDER DTD 19.06.2009, BEARING SL. NO. N.C.S/130/2009-10 PASSED BY THE R-1 SOCIETY FOR REMOVING THE PETITIONER FROM THE MEMBERSHIP FROM THE R-1 SOCIETY, AS PER ANNEXURE-H AND ETC.,

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

CORAM: HON'BLE MRS. JUSTICE M G UMA

**ORAL ORDER**

Learned counsel for the petitioner and respondent No.1 submit in unison that as per the directions by this Court vide order dated 12.09.2025, the petitioner has produced certain documents before respondent No.1. He will have to take a decisions on the same strictly in accordance with law by following the bye-laws that are applicable to the facts of the



case either by the Board or by the administrator appointed by the Government.

2. Learned Additional Government Advocate for respondent No.3 has no objections for the same. These submissions are placed on record.

3. In view of the above, I deem it appropriate to dispose of the writ petition by quashing the impugned order at Annexures - M and H and directing respondent No.1 to take necessary decision in accordance with law by following the bye-laws that are applicable to the facts of the case either by the Board or by the administrator, appointed by the Government, at the earliest, atleast within three weeks from today.

4. Accordingly, I proceed to pass the following:

ORDER

- (i) Writ petition is ***allowed.***
- (ii) The order dated 19.07.2019 in Cop.Appeal No.484/2013 passed by the Karnataka Appellate Tribunal, Bengaluru as per Annexure - P; the order dated 16.09.2013 in A.NI (V:E) No.D-2/DIS/02/2012-13, passed by respondent No.3 as per Annexure - M and the order dated 19.06.2009 bearing Sl.No.N.C.S/130/2009-10 passed by



respondent No.1 - Society for removing the petitioner from the membership from respondent No.1- Society as per Annexure - H, are hereby quashed.

- (iii) Respondent No.1 is directed to take necessary decision in accordance with law by following the bye-laws that are applicable to the facts of the case either by the Board or by the administrator, appointed by the Government, at the earliest, atleast within three weeks from today.

**Sd/-**  
**(M G UMA)**  
**JUDGE**

BH  
CT:VS  
List No.: 1 Sl No.: 6