



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

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

WRIT PETITION NO.18132 OF 2023 (CS-RES)

BETWEEN:

1. M/S VYALIKAVALL HOUSE BUILDING
CO-OPERATIVE SOCIETY LTD.
A CO-OPERATIVE SOCIETY REGISTERED
UNDER THE PROVISIONS OF
THE KARNATAKA CO-OPERATIVE
SOCIETIES ACT, 1959
HAVING ITS REGISTERED OFFICE AT
NO.151, 2ND FLOOR, 15TH CROSS,
BETWEEN 8TH AND 9TH MAIN ROAD,
MALLESWARAM
BENGALURU - 560055
REPRESENTED BY ITS PRESIDENT
SRI. K.V. ANANTHAPADMANABHA.

...PETITIONER

Digitally signed by
CHANDRA S A
Location: HIGH
COURT OF
KARNATAKA

(BY SRI. KOUSHIK M., ADVOCATE FOR
SRI. SIDDHARTH SUMAN, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY ITS SECRETARY
CO-OPERATION DEPARTMENT
M.S.BUILDING
VIDHANA VEEDHI
BENGALURU - 560001.



2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
BANGALORE REGION
SAHAKARA SOUDHA
NO.146, 3RD FLOOR
8TH CROSS, MARGOSA ROAD
MALLESHWARAM,
BENGALURU - 560003.
3. THE DEPUTY REGISTRAR OF CO-OPERATIVE SOCIETIES
I CIRCLE
SAHAKARA SOUDHA,
NO.156, 1ST FLOOR,
3RD MAIN ROAD, 8TH CROSS
MARGOSA ROAD,
MALLESWARAM
BENGALURU - 560003.

...RESPONDENTS

(BY SRI. H.K. KENCHEGOWDA, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ILLEGAL ORDER BEARING NO.JRB/SECTION 64/02/2023-24 DATED 10.04.2023 ISSUED BY THE RESPONDENT NO.2 (i.e. ANNEX-A) AND THE CONSEQUENTIAL NOTICE ISSUED BY THE RESPONDENT NO.3 BEARING NO. DRB-1/SECTION 64/ VHBCS/61/2023-24 DTD 29.04.2023 (I.E ANNEX-B) AS WHOLLY ARBITRARY ILLEGAL AND UNJUST.

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

In this writ petition, the petitioner has assailed the order dated 10.04.2023 (Annexure-A) issued by respondent No.2 and the consequential notice dated 29.04.2023 (Annexure-B) issued by respondent No.3.

2. Heard the learned counsel appearing for the parties.

3. Having taken note of the submissions made by the learned counsel appearing for the parties, it is evident that the respondent-authorities have initiated an enquiry under Section 64 of the Karnataka Co-operative Societies Act, 1959 (for short, "Act"). Though several grounds have been urged by the petitioner concerning the registration of the sale deed, the matter requires a detailed examination of records, and therefore, a full-fledged enquiry is necessary.



4. In that view of the matter, this Court finds no infirmity in the order dated 10.04.2023 (Annexure-A) passed by the respondent-authorities. The petitioner has not made out any acceptable grounds to call for interference under Article 226 of the Constitution of India so as to stall the enquiry initiated under Section 64 of the Act. Accordingly, the writ petition stands ***dismissed***.

5. However, it is made clear that it is open to the petitioner to urge all the grounds raised in this writ petition in the event an adverse order is passed by the competent authority under Sections 64 and 68 of the Act.

It is also observed that the respondent-authorities shall not be influenced by any observations made in this writ petition while conducting the enquiry.

SD/-
(E.S.INDIRESH)
JUDGE