



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 21059 OF 2025 (GM-KSR)

BETWEEN:

H C RAMAKRISHNA
S/O CHAMNOOR BOKKAIAH,
AGED ABOUT 63 YEARS,
HULIVANA VILLAGE, KERAGODU HOBLI,
HULIVANA POST MANDYA TALUK
MANDYA DISTRICT- 571446

...PETITIONER

(BY SRI. K.N. NITISH, ADVOCATE FOR
SRI. K V NARASIMHAN.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY DEPARTMENT OF CO-OPERATION
M. S BUILDING, BANGALORE-56001
BY ITS PRINCIPAL SECRETARY
2. THE REGISTRAR OF
SOCIETIES AND DEPUTY REGISTRAR
OF CO-OPERATIVES SOCIETIES,
MANDYA DISTRICT, MANDYA 571401
3. KERAGODU EDUCATION SOCIETY R
A SOCIETY REGISTERED UNDER SOCIETY
REGISTRARTION ACT,
KERAGODU VILLAGE AND HOBLI,
MANDYA TALUK AND DISTRICT - 571446
REPRESENTED BY ITS SECRETARY

...RESPONDENTS

Digitally
signed by
CHAITHRA A
Location:
HIGH
COURT OF
KARNATAKA



(BY SMT. AMARAVATHY H.R., AGA FOR R1 & R2;
SRI. M.S. BHAGWAT, SENIOR COUNSEL FOR ;
SRI. SATISH K, ADVOCATE FOR R3)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTING THE 2ND RESPONDENT TO DECLARE THE DATE OF ELECTION AND PUBLISH THE CALENDAR OF EVENTS FOR CONDUCTING THE ELECTION IN RESPECT OF 3RD RESPONDENT-SOCIETY, IN ACCORDANCE WITH THE ORDER DATED 23.05.2025 BEARING NO.DRY/SANGASAMSTHE/04/2025-26, PRODUCED AT ANNEXURE-F.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The captioned petition is filed seeking the following reliefs:

"A. Issue a writ in the nature of mandamus, or any other writ or direction, directing the 2nd respondent to declare the date of election and publish the calendar of events for conducting the election in respect of 3rd respondent-society, in accordance with the order dated 23.05.2025 bearing No.DRY/SANGASAMSTHE/04/2025-26, produced at Annexure-F.



B. Grant such other further reliefs as this Hon'ble Court deems fit in the circumstances of the case, in the interest of justice and equity."

2. The petitioner, claiming to be a member of the 3rd respondent–Society by virtue of the order passed by a Coordinate Bench of this Court in W.P. No.23465/2022, as evidenced at Annexure–A, has approached this Court seeking a writ in the nature of mandamus, as extracted supra. The grievance projected in the present writ petition is that despite the earlier directions issued by this Court and notwithstanding the expiry of the tenure of the erstwhile managing committee, there is total inaction on the part of respondent No.3–Society in not conducting elections. It is in this backdrop that the petitioner seeks a direction to respondent No.2 to declare the date of election and publish the calendar of events for conducting elections to the 3rd respondent–Society in terms of the order dated 23.05.2025 produced at Annexure–F.



3. Per contra, the learned Senior Counsel appearing for respondent No.3, at the outset, seriously opposed the petition by placing reliance on the statement of objections and the documents annexed thereto. It was contended that the elections have already been conducted and a new committee has been constituted and, therefore, the relief sought in the writ petition does not survive for consideration. On this premise, it was urged that the writ petition has been rendered infructuous and is liable to be dismissed.

4. This Court has given its anxious consideration to the rival submissions made by the learned counsel appearing for the parties and has perused the material on record. As rightly contended by the learned counsel for the petitioner, the alleged elections stated to have been conducted on 24.09.2023 cannot be countenanced in law. A perusal of the order dated 21.09.2023 passed by the Coordinate Bench clearly indicates that respondent No.3– Society was specifically directed to include the name of the



petitioner in the voters' list and thereafter proceed to conduct the elections. When such a specific direction was issued on 21.09.2023, the assertion of respondent No.3 that elections were conducted within a span of three days, i.e., on 24.09.2023, *prima facie* indicates non-compliance, if not a clear infraction, of the said order.

5. In that view of the matter, this Court is not inclined to accept the contention urged in the statement of objections that the writ petition has been rendered infructuous. On the contrary, the material placed on record would disclose that the action of respondent No.3 in proceeding with the alleged elections, without adhering to the directions issued by the Coordinate Bench, cannot be sustained. Though this Court is of the considered opinion that the facts of the present case would warrant initiation of proceedings for contempt for violation of the order passed by the Coordinate Bench, the learned Senior Counsel, on instructions, submits that respondent No.3– Society is willing to convene the Annual General Meeting



and conduct fresh elections strictly in accordance with the bye-laws of the Society and in compliance with the earlier directions issued by this Court.

6. The learned Senior Counsel further submits that the name of the petitioner has already been included in the voters' list and assures this Court that the forthcoming election process shall be conducted strictly in accordance with law and the governing bye-laws of the Society. On the said submission, a request is made to dispose of the writ petition by issuing appropriate directions to respondent No.3 to conduct fresh elections within a time-bound framework.

7. Recording the aforesaid submission made by the learned Senior Counsel for respondent No.3, and having regard to the limited grievance now surviving for consideration, this Court deems it appropriate to dispose of the writ petition, while ensuring that the reliefs sought, as extracted supra, are substantially addressed by issuing necessary directions to respondent No.3 to hold fresh



elections in a fair and lawful manner within a stipulated time.

8. For the foregoing reasons, this Court proceeds to pass the following:

ORDER

(i) The writ petition is ***disposed of;***

(ii) Respondent No.3–Society is directed to initiate and conduct fresh elections by convening the Annual General Meeting and strictly adhering to the bye-laws governing the Society, as well as the directions issued by this Court in the earlier proceedings.

(iii) The entire election process, including declaration of the calendar of events and completion of polling and declaration of results, shall be completed within an outer limit of eight (8) weeks from the date of receipt of a certified copy of this order.

(iv) Respondent No.3 shall ensure that the voters' list is finalized strictly in terms of Annexure–F, comprising 101 + 26 members, and



shall include the name of the petitioner, if not already reflected.

(v) It is made clear that the earlier election process allegedly conducted on 24.09.2023 shall not be acted upon and shall not confer any right on the committee purportedly constituted thereunder.

(vi) Liberty is reserved to the petitioner to seek appropriate remedies, in accordance with law, in the event of any deviation or non-compliance with the directions issued herein.

(vii) In view of the disposal of the writ petition, all pending interlocutory applications, if any, do not survive for consideration and stand disposed of.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE