



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 20665 OF 2025 (S-RES)

BETWEEN:

1. PRASANNA H
AGED ABOUT 59 YEARS
C/O RAMAKRISHNA
SATHYAPRIYA, NOOCHILA
SUBRAHMANYA, KADABA TALUK
DAKSHINA KANNADA - 574238.
2. D. HALKURE GOWDA
AGED ABOUT 59 YEARS
S/O. LATE HALKURE GOWDA
#228/A, SHREE NAGABHARANA NILAYA
DONIMAKKI, NEAR KUMARADHARA
SUBRAHMANYA, KADABA TALUK
DAKSHINA KANNADA-574238.
3. DHARMAPALA A
AGED ABOUT 58 YEARS
S/O LATE VEERAPPA GOWDA
ALENGARA HOUSE, YENMOORU POST
KADABA TALUK, DAKSHINA KANNADA-574238.
4. MAHABALESHWARA D
AGED ABOUT 58 YEARS
S/O ELYANNA GOWDA
DOLA HOUSE, DEVARAGADDE
SUBRAHMANYA, KADABA TALUK
DAKSHINA KANNADA- 574238.
5. K.S. SUBRAHMANYA
AGED ABOUT 56 YEARS





S/O K. SUBRAYA BHAT
2-64 B, SHIVAPRIYA NILAYA
NOOCHILA, SUBRAHMANYA
KADABA TALUK, DAKSHINA KANNADA-574238.

6. NONAPPA K.
AGED ABOUT 55 YEARS
S/O LATE SUBRAYA GOWDA
KOUSHINI NILAYA, KANKAL HOUSE
VISHNU CIRCLE, UBARADKA ROAD
SULLIA, DAKSHINA KANNADA-574239.
7. SHANMUKHA D.R.
AGED ABOUT 55 YEARS
S/O LATE D RADHAKRISHNA UPARNA
PRAKRUTHI NILAYA, AGOLIKAJE
DEVARAGADDE ROAD, SUBRAHMANYA
KADABA TALUK, DAKSHINA KANNADA- 574238.
8. JAYALAKSHMI S.S.,
AGED ABOUT 60 YEARS
2-32, SHANTHALAKSHMI NILAYA
NOOCHILA, SUBRAHMANYA
KADABA TALUK, DAKSHINA KANNADA- 574238.
9. RAJALAKSHMI R
AGED ABOUT 56 YEARS
W/O PADMANABHA SHETTIGAR
DEVARAGADDE HOUSE
SUBRAHMANYA, KADABA TALUK
DAKSHINA KANNADA- 574238.
10. SARASWATHI N.,
AGED ABOUT 55 YEARS
W/O ACHUTHA A, PARVATHAMUKHI HOUSE
SUBRAHMANYA
KADABA TALUK, DAKSHINA KANNADA-574238.
11. BALAKRISHNA J
AGED ABOUT 59 YEARS
S/O KORAGAPPA GOWDA



#481 A, NOOCHILA HOUSE
SUBRAHMANYA, KADABA TALUK
DAKSHINA KANNADA-574238.

12. JAYARAMA RAO
AGED ABOUT 63 YEARS
S/O LATE GOPALAKRISHNA RAO
ANGADIGUDDE, SUBRAHMANYA POST
SUBRAHMANYA, KADABA TALUK
DAKSHINA KANNADA- 574238.

13. MAMATHA P.,
AGED ABOUT 64 YEARS
W/O H.M. SATHYANARAYANA
#923, 2ND MAIN, VIVEKANANDA NAGAR
KUVEMPUNAGAR, MYSORE-570023.

...PETITIONERS

(BY SRI. H PAVANA CHANDRA SHETTY., ADVOCATE)

AND:

1. SECRETARY
MUJARAI DEPARTMENT
GOVERNMENT OF KARNATAKA
VIDHANA SOUDHA
BANGALORE-560 001.
2. THE COMMISSIONER
HINDU RELIGIOUS AND CHARITABLE
ENDOWMENTS DEPARTMENT
(MUJURAI DEPARTMENT)
2ND FLOOR, SRI MALAI MAHADESHWARA
VARTHA BHAVAN, ALUR VENKATARAO ROAD
CHAMARAJPET, BANGALORE-560018.
3. THE EXECUTIVE OFFICER
SRI KUKKE SUBRAMANYA TEMPLE
SUBRAMANYA, DAKSHINA KANNADA-574 238.



4. CHIEF EXECUTIVE OFFICER
SRIKANTESHWARA SWAMI TEMPLE
NANJANAGUDU, MYSORE-571301.

...RESPONDENTS

(BY SRI. M RAJAKUMAR, AGA FOR R1 & R2:
R3 AND R4 ARE SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT TO QUASH THE ORDER PASSED BY THE 2ND RESPONDENT /COMMISSIONER, HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS DEPARTMENT, DATED 01.07.2025 BEARING ITS NO.E.1750997.HRICE-ADM0ADM1/319/2025 FOR DEMOTING THE PETITIONERS FROM THE POST OF FIRST DIVISION ASSISTANT (FDA) TO SECOND DIVISION ASSISTANT (SDA) AND FURTHER DIRECTED TO FIX THE EARLIER PAY-SCALE WHICH IS APPLICABLE TO THE SECOND DIVISION ASSISTANT AS PER THE GOVERNMENT ORDER BEARING ITS NO.KAME 84 MUSEVE 2006, DATED 02.09.2006 PRODUCED AS ANNEXURE-A 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 H.T. NARENDRA PRASAD

ORAL ORDER

This writ petition is filed under Articles 226 and 227 of the Constitution of India, challenging the Official Memorandum dated 01.07.2025 vide Annexure-A, issued by the second respondent, whereby the petitioners have been demoted from the posts of First Division Assistants to



the posts of Second Division Assistants solely on the basis of a letter written by the Panel Advocate.

2. The case of the petitioners is that they were appointed as Second Division Assistants during the years between 1983-1995. Subsequently, on 19.02.2008, they were promoted as First Division Assistants. While they were working in the respondent-Temple, they were demoted without being issued any notice and without following due process of law, solely on the basis of the opinion given by the Panel Advocate.

3. I have perused the impugned order vide Annexure-A. The impugned order has been passed solely on the basis of the opinion rendered by the Panel Advocate, placing reliance on the judgment of the Apex Court in ***BASAWARAJ AND ANOTHER VS. SPECIAL LAND ACQUISITION OFFICER*** reported in **(2013) 14 SCC 81**. The said judgment is not applicable to the case of the petitioners. Further, the impugned order has been



passed without issuing any notice to the petitioners. On this ground alone, the writ petition deserves to be allowed.

4. Accordingly, the following order:

- (i) The writ petition is allowed.
- (ii) The impugned order dated 01.07.2025 vide Annexure A issued by the second respondent is quashed.

**Sd/-
(H.T. NARENDRA PRASAD)
JUDGE**

CM
LIST NO.: 1 SL NO.: 58