



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

BEFORE

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

WRIT PETITION NO. 21818 OF 2022 (S-RES)

BETWEEN:

1. GOKUL VIDYA SAMASTHE (R)
REP. BY ITS SECRETARY
SRI.K.PARVATHI
W/O KEMPARAJU
AGED ABOUT 50 YEARS
GOLLARAHATTI, HULIYURDURGA HOBLI
KUNIGAL TALUK, TUMAKURU DISTRICT.
2. M C NARASIMHARAJU
S/O M K CHIKKEGOWDA
AGED ABOUT 54 YEARS
LAB ATTENDER
VINAYAKA HIGH SCHOOL
GOLLARAHATTI, HULIYURDURGA HOBLI
KUNIGAL TALUK, TUMAKURU DISTRICT.

...PETITIONERS

(BY SRI. SUNDARESH H C., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
RPT. BY ITS PRINCIPAL SECRETARY
(PRIMARY AND SECONDARY EDUCATION)
M.S.BUILDING, BENGALURU-560001.
2. THE COMMISSIONER OF PUBLIC INSTRUCTIONS
DEPT. OF PUBLIC INSTRUCTIONS
NRUPATUNGA ROAD, K.R.CIRCLE
BENGALURU-560001.





3. THE DIRECTOR OF PUBLIC INSTRUCTION
DEPARTMENT OF PUBLIC INSTRUCTIONS
NRUPATUNGA ROAD, K.R.CIRCLE
BENGALURU-560001.
4. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS
TUMAKURU DISTRICT
TUMAKURU 560002.
5. THE BLOCK EDUCATIONAL OFFICER
DEPARTMENT OF PUBLIC INSTRUCTIONS
TUMAKURU TALUK, KUNIGAL
TUMAKURU DISTRICT.

...RESPONDENTS

(BY SRI. G RAMESH NAIK, AGA FOR R1 TO R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENTS TO CONSIDER THE PROPOSAL SUBMITTED BY THE 1ST PETITIONER SOCIETY TO THE BLOCK EDUCATION OFFICER DATED: 16.07.2014 FOR GRANT IN AID FOR THE POST OF 2ND PETITIONER AS A D GROUP EMPLOYEE AT SRI VINAYAKA KANNADA MEDIUM AIDED HIGH SCHOOL, GOLLARAHATTI, KUNIGAL TALUK AS PER ANNEXURE-E AS PER GOVERNMENT ORDER DATED: 20.01.2014 AND 19.09.2018 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 & 227 of the Constitution of India, seeking the following relief:

"Issue writ in the nature of mandamus directing the respondent to consider the proposal submitted by the 1st petitioner Society to the Block Education Officer dated 16.07.2014 for grant in aid



for the post of 2nd petitioner as a D Group employee at Sri Vinayaka Kannada Medium Aided High School, Gollarahatti, Kunigal Taluk as per Annexure-E, as per the Government Order dated 20.01.2014 and 19.09.2018 as per Annexures D and H respectively and as per the list submitted by the Director of Secondary Education dated 12.12.2017 and the list submitted by DDPI dated 25.02.2022 as per Annexures G and M, respectively.”

2. The first petitioner is a Society running an educational institution by name Sri Vinayaka Kannada Medium High School at Gollarahatti, Kunigal. The first petitioner passed a resolution on 02.07.1992, vide Annexure-A, appointing the second petitioner to the post of Lab Attender in the institution run by it. Thereafter, an appointment order was issued on 20.07.1992, vide Annexure-B. The second petitioner has been working as a Group D employee in the said institution. Along with the second petitioner, one B.N. Lokesh was also appointed as a Group D employee in the said institution.



3. The Management sent a proposal on 16.07.2014, vide Annexure-E, to the fifth respondent seeking admission of these two Group D employees to grant-in-aid. Since the proposal has not been considered, the petitioners are before this Court.

4. Learned AGA appearing for the respondents filed statement of objections and submitted that, as per the notification dated 26.09.2017, all Group D employees have to be appointed through outsourcing. He further contended that, although a clarification was issued by the Government vide Annexure-K dated 07.12.2021, stating that if any Group D employee was appointed in accordance with law prior to the notification dated 26.09.2017, as per the staffing pattern, one Group D employee per institution can be approved in accordance with law, the Management had submitted a proposal for approval of two Group D employees vide Annexure-E, and therefore the case was not considered.



5. At this stage, learned counsel appearing for the petitioners submits that the Management restricts the proposal only to the second petitioner, namely M.C. Narasimharaju.

6. In view of the above, the competent authority is directed to consider the proposal sent by the Management vide Annexure-E dated 16.07.2014, in respect of the second petitioner, namely M.C. Narasimharaju, in accordance with law, in any event, within three months from the date of receipt of a copy of this order.

With the above observations, the writ petition stands disposed of.

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

CM
LIST NO.: 1 SL NO.: 32