



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S. KINAGI

WRIT PETITION NO. 102556 OF 2026 (CS-RES)

BETWEEN:

MANOHAR S/O. PIRAJI BELGAONKAR,
CHIEF PROMOTER,
PROPOSED TIRNAGA PRATHMIK KRUSHI PATTIN
SAHAKARI SANGH NIYAMIT, BIJAGARNI, BELAGAVI,
DIST. BELAGAVI-591108.

...PETITIONER

(BY SMT. SANJANA S.MUDHOL, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF CO-OPERATION,
M.S. BUILDING, BENGALURU-560001.
2. THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETY, CO-OPERATIVE
ADMINISTRATIVE BHAVAN, JAKKERIHOND,
BELAGAVI, DIST. BELAGAVI, PIN-590001.

...RESPONDENTS

(BY SMT. KIRTELATA R.PATIL, HCGP)

Digitally signed by
VIJAYALAKSHMI
M KANKUPPI
Location: HIGH
COURT OF
KARNATAKA

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO 1. TO ISSUE WRIT IN THE NATURE OF CERTIORARI TO QUASH THE IMPUGNED ORDER DATED 24/02/2026 IN NO. AR9/RSR/MAHITI/2025-26 PASSED BY THE 2ND RESPONDENT VIDE ANNEXURE-B. 2. TO ISSUE WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENT NO.2 TO GRANT PERMISSION TO FLOATING OF SHARE AMOUNT FOR PRE-REGISTRATION OF THE SOCIETY IN THE NAME OF THE PROPOSED TIRANGA PRATHMIK KRUSHI SAHAKARI SANGH NIYAMIT, BIJAGARNI, DIST- BELAGAVI, BY ALLOWING THIS WRIT PETITION IN THE INTEREST OF JUSTICE AND EQUITY. 3. TO ISSUE ANY OTHER ORDER, DIRECTIONS AS DEEMS IN THE CIRCUMSTANCES OF THE CASE.



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

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE ASHOK S. KINAGI)

1. The petitioner has filed this writ petition challenging the impugned order dated 24.02.2026 passed by respondent No.2, vide Annexure-B, and has sought a writ of mandamus directing respondent No.2 to grant permission to collect share amounts for pre-registration of the proposed society.

2. Brief facts, leading rise to the filing of this writ petition are as follows:

3. The petitioner submitted a proposal to respondent No.2 seeking a permission to collect share amounts for the pre-registration of the proposed society. Respondent No.2 issued a notice calling upon the petitioner to appear. Pursuant to the said notice, the petitioner appeared before the authority.

4. Respondent No.2, without recording the statement of the petitioner, without considering the contents of the claim of the petitioner as stated in the proposal and without providing an opportunity of hearing, issued the impugned order at Annexure-B. Hence, this writ petition.



5. Heard the arguments of the learned counsel for the petitioner and the learned Additional Government Advocate.

6. Learned counsel for the petitioner submits that the issue involved in this case is squarely covered by the order passed by this Court in ***Tejpal vs. the State of Karnataka and Another*** in Writ Petition No.105236/2025 disposed of on 07.08.2025 and accordingly prays to dispose of this writ petition in terms of the order passed in the aforesaid writ petition.

7. *Per contra*, learned Additional Government Advocate supports the impugned order, and hence, prays to dismiss the writ petition.

8. Perused the records and considered the submissions of the learned counsel for the parties.

9. There is no dispute that the petitioner submitted an application to the respondent No.2 seeking permission to collect share amount for the pre-registration of the proposed society. Respondent No.2 issued an impugned order rejecting the proposal of the petitioner. The issue involved in this case is squarely covered by the order passed by this Court in the case of ***Tejpal vs. the State of Karnataka and Another*** referred *supra*.



10. In view of the above, I concur with order passed in the case of ***Tejpal vs. the State of Karnataka and Another*** referred *supra*, I do not want to deviate from the order passed by this Court in the aforesaid writ petition. Accordingly, the petitioner is also entitled to the benefit of the order passed in the aforesaid writ petition.

11. In view of the above discussion, I proceed to pass the following order:

ORDER

- (i) The writ petition is ***allowed***.
- (ii) The impugned order dated 24.02.2026 vide Annexure-B passed by respondent No.2, is hereby quashed.
- (iii) Respondent No.2 is directed to grant permission to collect the share amount for floating the shares of the society for registration, subject to petitioner satisfying other requirements of law and provide an opportunity to the petitioner before passing any order.



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- (iv) The petitioner is directed to be present before the respondent No.2 on 28.04.2026, without awaiting further notice from the respondent No.2.

SD/-
(ASHOK S. KINAGI)
JUDGE

RHR/-CT: UMD
List No.: 2 SI No.: 16