



**IN THE HIGH COURT OF KARNATAKA,
DHARWAD BENCH**

DATED THIS THE 22ND DAY OF AUGUST, 2025

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 102541 OF 2025 (S-RES)

BETWEEN:

SMT. SUNITA W/O. SATISH GUNJIKAR,
AGE: 30 YEARS, OCC. NILL,
R/O. MODEKOPPA VILLAGE, POST: RAMGURWADI,
JAMBOTI, TQ. KHANAPUR,
DIST. BELAGAVI-591302.

...PETITIONER

(BY SRI. VENKATESH M KHARVI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
R/BY. REVENUE OFFICER,
REVENUE DEPARTMENT,
M.S.BUILDING, BANGALORE -06.
2. THE TAHASILADAR
KHANAPUR, DIST. BELAGAVI- 591302.
3. THE ASSISTANT COMMISSIONER
KHANAPUR TALUK,
BELAGAVI DIVISION-591302.
4. SMT. SAVITRI W/O. NAGENDRA CHALAWADI,
AGE: 28 YEARS, OCC. NIL,
R/O. LAKKEBAIL, TQ. KHANAPUR,
DIST. BELAGAVI-591302.

...RESPONDENTS

(BY SRI. P.N. HATTI, HCGP FOR R1 TO R3;
SRI. SANJAY S. KATAGERI, ADVOCATE FOR R4)

Digitally signed
by SAROJA
HANGARAKI
Location: High
Court of
Karnataka,
Dharwad
Bench,
Dharwad



THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, A. ISSUE WRIT OF CERTIORARI OR ANY WRIT ORDER TO QUASH THE ORDER PASSED BY RESPONDENT NO.2 IN SUM/GRASANE/VIVA/42/2024-25 DATED 06/12/2024 VIDE ANNEXURE-J IN THE INTEREST OF JUSTICE AND EQUITY. B. THAT THE HON'BLE HIGH COURT PASSED NECESSARY ORDER WHICH DEEMED FIT IN THE CIRCUMSTANCES OF THE CASE BE PASSED.

THIS PETITION, COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ)

1. The petitioner is before this Court seeking for the following reliefs:

a. Issue writ of Certiorari or any writ order to quash the order passed by respondent no.2 in SUM/GRASANE/VIVA/42/2024-25 dated 06/12/2024 vide Annexure-J in the interest of justice and equity.

b. That the Hon'ble High Court passed necessary order which Deemed fit in the circumstances of the case be passed.

2. The petitioner is challenging the order of selection and appointment of Respondent No. 2 to the post of Grama Sevaki in terms of Annexure-J. The petitioner contends that the petitioner's father, being the



earlier Grama Sevak, should have been given preference over the claim of Respondent No. 2, who is claiming appointment on account of her husband being a Grama Sevak.

3. Irrespective of these two contentions, the notification dated 22.03.1979, under which such preference is claimed by both the petitioner and Respondent No. 2, has been rescinded by the Government, as has been adverted to by a Co-ordinate Bench of this Court in its order dated 10.11.2021 in WP No. 33892 of 2018.
4. In view of such rescission, the post of Grama Sevaki cannot be filled on the basis of the circular dated 22.03.1979, as sought to be done in the present matter. In that regard, it would be for the Principal Secretary, Revenue, to look into this aspect, verify all appointments made in the estate based on the said rescinded notification dated 22.03.1979, and take appropriate measures so as to avoid unnecessary litigation.



5. In view of the above, I pass the following:

ORDER

- i. *The writ petition is **allowed**.*
- ii. *The order passed by Respondent No. 2 at Annexure-J bearing No. 61224 is quashed.*
- iii. *The matter is remitted to Respondent No. 2 to consider the applicants under the Circular dated 20.02.1978.*
- iv. *The selection of candidates shall be based on their individual merit and not on the basis of any priority regarding family members being Grama Sevak/i.*
- v. *Though the petition is disposed of, it shall be re-listed on **23.09.2025** to enable the Principal Secretary, Revenue, to file an affidavit.*
- vi. *The AGA is directed to bring this order to the notice of the Principal Secretary, Revenue.*



vii. It is needless to say that any payment made towards the services rendered by Respondent No. 4 shall not be recovered.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

VB
Ct:pa
List No.: 1 Sl No.: 109