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NC: 2026:KHC-D:1691-DB
WA No. 100750 of 2025

IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 5TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE M.I.ARUN

AND

THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI

WRIT APPEAL NO. 100750 OF 2025 (CS-EL/M)

BETWEEN:

TIMMAYYA S/O. GANGADHAR HEGDE,
AGE: 44 YEARS, OCC: AGRICULTURE & SERVICE,
R/O: ULLAL, PO: BISIKOPPA,
TQ: SIRSI, DIST: UTTARA KANNADA – 581 402.

... APPELLANT

(BY SRI. ASHOK HARANAHALLI, SENIOR COUNSEL FOR
SRI. MALLIKARJUNASWAMY B. HIEMATH &
SMT. KAVERI M. HIEMATH, ADVS.
APPEARED THROUGH V.C.)

AND:

1. STATE OF KARNATAKA,
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF CO-OPERATION,
M.S.BUILDING, 6TH FLOOR,
BENGALURU-560 001.
2. CO-OPERATIVE ELECTION AUTHORITY,
REP.BY ITS COMMISSIONER,
3RD FLOOR, SHANTI NAGAR,
TTMC 'A' BLOCK,
SHANTINAGAR,
BENGALURU – 560 027.
3. JOINT REGISTRAR OF
CO-OPERATIVE SOCIETIES,
BELAGAVI REGION,
BELAGAVI – 590 001.
4. DEPUTY REGISTRAR OF
CO-OPERATIVE SOCIETIES,





UTTARA KANNADA DISTRICT,
KARWAR – 581 301.

5. DEPUTY COMMISSIONER,
UTTARA KANNADA DISTRICT, KARWAR
& ELECTION OFFICER TO
ALL FEDERAL BANKS
IN UTTARA KANNADA DISTRICT – 581 301.
6. ASSISTANT COMMISSIONER,
SIRSI SUB-DIVISION, SIRSI &
RETURNING OFFICER,
THE KANARA DISTRICT CENTRAL
CO-OPERATIVE BANK LIMITED,
SIRSI, U.K. DISTRICT- 581 301.
7. THE KANARA DISTRICT CENTRAL
CO-OPERATIVE BANK LIMITED,
SIRSI, U.K. DISTRICT,
REPRESENTED BY ITS
MANAGING DIRECTOR – 581 301.
8. KARNATAKA POWER CORPORATION
EMPLOYEES CO-OP CREDIT SOCIETY LTD.,
AMBIKANAGAR, PIN -581 363, DIST:U.K.,
REP. BY ITS CHIEF EXECUTIVE OFFICER,
SERIAL NO.04 IN IN-ELIGIBLE VOTERS LIST.
9. BANGURNAGAR ARTS,
SCIENCE & COMMERCE COLLEGE
STUDENTS CONSUMERS
CO-OPERATIVE SOCIETY,
DANDELI, DIST: U.K.-581325,
REP. BY ITS CHIEF EXECUTIVE OFFICER,
SERIAL NO.10 IN IN - ELIGIBLE VOTERS LIST.
10. STUDENTS CO-OPERATIVE STORES LTD.,
P.M.HIGH SCHOOL, ANKOLA-581314,
DIST: UTTARA KANNADA,
REP. BY ITS CHIEF EXECUTIVE OFFICER,
SERIAL NO.09 IN IN-ELIGIBLE VOTERS LIST.
11. STUDENTS CONSUMERS CO-OPERATIVE
SOCIETY LTD., GOKHALE CENTENARY COLLEGE,
ANKOLA – 581 314,



DIST: UTTARA KANNADA,
SERIAL NO. 05 IN
IN-ELIGIBLE VOTERS LIST.

12. NEW HIGH SCHOOL CONSUMERS
CO-OPERATIVE SOCIETY LTD.,
BAAD - 581 351,
KARWAR, DIST: UTTARA KANNADA,
REP.BY ITS CHIEF EXECUTIVE OFFICER,
SERIAL NO. 07 IN ELIGIBLE VOTERS LIST.
13. RURAL CONSUMERS CO-OPERATIVE
SOCIETY LTD., NANDANGADDA - 581 304,
KARWAR, DIST: UTTARA KANNADA,
REP.BY ITS CHIEF EXECUTIVE OFFICER,
SERIAL NO. 02 IN IN
ELIGIBLE VOTERS LIST.
14. SHIRALI CONSUMERS CO-OPERATIVE SOCIETY LTD.,
(GRAHAKAR SAHAKARI SANGHA NIYAMITHA)
PIN-581304, KARWAR,
DIST: UTTARA KANNADA,
REP. BY ITS CHIEF EXECUTIVE OFFICER,
SERIAL NO. 03 IN IN-ELIGIBLE VOTERS LIST.
15. S.D.M COLLEGE STUDENT CONSUMERS
CO-OPERATIVE SOCIETY LTD. HONNAVAR
DIST: UTTARA KANNADA,
REP.BY ITS CHIEF EXECUTIVE OFFICER,
SERIAL NO. 11 IN IN-ELIGIBLE VOTERS LIST.
16. S.K.P.JUNIOR COLLEGE VIDYARTHI
GRAHAKARA SAHAKARI SANGHA NIYAMITHA,
AREANGADI, HONNAVAR,
DIST: UTTARA KANNADA - 581 334,
REP.BY ITS CHIEF EXECUTIVE OFFICER,
SERIAL NO. 06 IN IN ELIGIBLE VOTERS LIST.
17. VIDYARTHI GRAHAKARA SAHAKARI SANGHA LTD.,
SHRI RAJARAJESHWARI VIDYA SAMITI,
SONDA-581336, SIRSI,
DIST: UTTARA KANNADA - 581 336,
REP.BY ITS CHIEF EXECUTIVE OFFICER,
SERIAL NO. 12 IN IN-ELIGIBLE VOTERS LIST.



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18. PRAGATI PROCESSING SOUHARDA
SAHAKARI SANGHA NIYAMITHA,
BAKKAL, SIRSI,
DIST: UTTARA KANNADA – 581 336,
REP.BY ITS CHIEF EXECUTIVE OFFICER,
SERIAL NO.04 IN IN-ELIGIBLE VOTERS LIST.

... RESPONDENTS

(BY SRI. SHARAD V. MAGADUM, AGA FOR R1, R3, R4 & R5;
SRI. G.V. BHARAMAGOUDAR, ADVOCATE FOR R2 & R6;
SRI. PRABHULING K. NAVADGI, SENIOR COUNSEL FOR
SRI. VISHWANATH HEGDE & SMT. TANUJA HEGDE,
ADVS. FOR R7 IS APPEARED THROUGH V.C;
SRI. VIDYASHANKAR G. DALWAI, ADV. FOR R13;
SRI. ANANT MANDAGI, SENIOR COUNSEL FOR
SRI. SRINIVAS B. NAIK, ADV. FOR R14 & R18
APPEARED THROUGH VC)

(R8 TO R13, R15, R16 & R17 ARE SERVED BUT UNREPRESENTED)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF KARNATAKA
HIGH COURT ACT, 1961, PRAYING TO SET-ASIDE THE ORDER DATED
19-11-2025 PASSED BY LEARNED SINGLE JUDGE OF HON'BLE HIGH
COURT KARNATAKA BENCH AT DHARWAD IN W.P.NO.107649/2025
(CS-EL/M) BY ALLOWING THIS APPEAL AND CONSEQUENTLY
W.P.NO.107649/2025 (CS-EL/M) MAY KINDLY BE DISMISSED IN ITS
ENTIRETY IN THE INTEREST OF JUSTICE AND ETC.,

THIS WRIT APPEAL, COMING ON FOR ORDERS THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: THE HON'BLE MR. JUSTICE M.I.ARUN
AND
THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI



ORAL JUDGMENT

(PER: THE HON'BLE MR. JUSTICE M.I.ARUN)

1. Respondent No.7 is a Federal Society. Respondent Nos.8 to 18 are Primary Co-operative Societies affiliated to the said Federal Society.

2. On the ground that the representatives of Respondent Nos.8 to 18 were not permitted to participate in the election being conducted to the Board of the Federal Society W.P. No.107614/2025 along with W.P. Nos.107649/2025, 107652/2025, 107670/2025, 107674/2025, 107693/2025, 107731/2025, 107742/2025 and 107797/2025 came to be filed.

3. During the course of proceedings before the learned Single Judge, it was contended on behalf of the Federal Society that notices, as contemplated under Rule 13-D of the Karnataka Co-operative Societies Rules, 1960 (hereinafter referred to as 'the Rules', for short), had been issued to the Primary Societies, intimating them that they were disqualified from casting their votes. However, the



learned counsel appearing for the Federal Society, along with the writ petitioners, submitted that a similar order as passed in W.P. No.8502/2022 c/w W.P. No.8477/2022 may be passed in the present cases as well.

4. Based on the aforesaid submission, the learned Single Judge has passed the following impugned order:

1. Learned counsel appearing for the parties in unison would submit that, the issue in the lis stands covered by judgment rendered by Coordinate Bench of this Court in W.P. No.8502/2022 c/w. W.P. No.8477/2022, disposed off on 7th June 2022. The Co-ordinate Bench of this Court held as follows:

"8. In the light of these rival submissions, the question for consideration is:

Whether these writ petitions must be disposed of directing the Returning Officer [the fourth respondent and sixth respondents in the respective petitions to announce the results of the elections held on 23.04.2022 including the votes cast by the petitioners.

9. The provisions of Rule 13-D (2-A) of the Rules read as hereunder:

(3) The Election Officer shall take steps for publication of voters list in the following manner, namely:-



- (a) *for publication of draft eligible electoral list, a list of defaulters, a list of members whose repayment falls due, before the election date clear fifty days;*
- (b) *for calling objections, if any, calling upon the defaulter members to repay the amounts due to the co-operative societies on or before thirty clear days prior to the date of election;*
- (c) *the scrutiny and verification of the voters list after payment by defaulters etc., clear twenty days before the ate of election.*
- (d) *for publication of final eligible voters list before fifteen clear days prior to the date of election.*

The underlining is by this Court.

10. These provisions do not leave any room for doubt that an excluded member, with the publication of the Draft Eligible Electoral List, must have an opportunity by way of an individual notice to file objections on exclusion from the Electoral List. It must be shown that the concerned Chief Executive has prepared and sent notice to the affected members. The Public Notice dated 8.11.20211 does

¹ This Public Notice reads as follows:

ಸಂಘದ ಬೈಲಾ ತಿದ್ದುಪಡಿ ಆದೇಶ ಸಂಖ್ಯೆ: ಡಿ ಆರ್ ವೈ: ಆರ್.ಎಸ್.ಆರ್.ಎಂ.ಎ.ಬಿ.ಸಿ.ಆರ್-16/2018-19 ದಿನಾಂಕ 16.11.2018 ರಂತೆ ಸಹಕಾರ ಸಂಘಗಳ ಉಪನಿಬಂಧಕರು, ಮಂಡ್ಯ ಜಿಲ್ಲೆ, ಮಂಡ್ಯರವರು ಬೈಲಾ ತಿದ್ದುಪಡಿಯನ್ನು ಅನುಮೋದಿಸಿ ನೋಂದಾಯಿಸಿರುತ್ತಾರೆ. ಅದರಂತೆ 'ಬಿ' ತರಗತಿ ರೈತ ಸದಸ್ಯರ ಷೇರಿನ ಮುಖಬೆಲೆ ರೂ.1000.00 ಗಳು ಮತ್ತು ಷೇರು ಶುಲ್ಕದ ಬಾಬು ರೂ.100.00 ಗಳು ಆಗಿರುತ್ತದೆ.

ಮಾನ್ಯ 'ಬಿ' ತರಗತಿ ಸದಸ್ಯರಾದ ತಮ್ಮ ಷೇರು ಮೊಬಲಗು ರೂ.500.00ಗಳು ಇದ್ದು ಬಾಕಿ ಷೇರು ಮೊಬಲಗು ರೂ.500.00ಗಳು ಕಡಿಮೆ ಇರುತ್ತದೆ. ಇದರ ಜೊತೆಗೆ ಬಾಕಿ ಇರುವ ಷೇರು ಶುಲ್ಕ ರೂ.90.00ಗಳು ಸೇರಿ ಒಟ್ಟು ರೂ.590.00ಗಳನ್ನು ಪಾವತಿಸಲು ಹಾಗೂ ಮಾನ್ಯ 'ಬಿ' ತರಗತಿ ಕೆಲವು ಸದಸ್ಯರ ಷೇರು ಮೊಬಲಗು ರೂ.100.00ಗಳು ಇದ್ದು, ಬಾಕಿ ಷೇರು ಮೊಬಲಗು ರೂ.900.00ಗಳು ಕಡಿಮೆ ಇರುತ್ತದೆ. ಇದರ ಜೊತೆಗೆ ಬಾಕಿ ಇರುವ ಷೇರು ಶುಲ್ಕ ರೂ 100.00ಗಳು ಸೇರಿ ಒಟ್ಟು ರೂ 1000.00ಗಳನ್ನು ದಿನಾಂಕ:11.12.2021 ರೊಳಗೆ ಸಂಘಕ್ಕೆ



not meet these requirements. In fact, it is admitted on behalf of the respondents that there are deficiencies in the preparation of the Final Electoral Roll after the publication of the Draft Eligible Electoral List, and the petitioners have not been issued with individual notices.

11. *The Hon'ble Supreme Court in Shri Sant Sadguru Janardan Swami (Moingiri Maharaj) Sahakari Dugha Utpadak Sanstha and Another v. State of Maharashtra and Others supra has held as follows:*

'7. A perusal of the Rules discloses that the preparation of provisional list of voters, filing of objection against the provisional list of voters, consideration of the objection by the Collector and finalising the list of voters, all occur in the Rules which cover the entire process of the election. The Rules framed for election of specified societies are complete code in itself providing for the entire process of election beginning from the stage of preparation of the provisional voters list, decision on the objection by the Collector, finalisation of electoral rolls, holding of election and declaration of result of the election. In view of the scheme of the Act and Rules, the preparation of voters' list must be held to be part of the election process for constituting managing committee of a specified society.

ಪಾವತಿಸುವಂತೆ ಈ ಮೂಲಕ ತಮಗೆ ತಿಳಿಸಿದೆ. ಮುಂದುವರಿದು ಇದಲ್ಲದೆ ಕರ್ನಾಟಕ ಸಹಕಾರ ಸಂಘಗಳ ಅಧಿನಿಯಮ 1959ರ ಪ್ರಕರಣ 20(2) (ಎ4) ಹಾಗೂ (ಎ5)ರಡಿಯಲ್ಲಿನ ಅವಕಾಶಗಳಂತೆಯೂ ಅರ್ಹತೆಯೂ ಹೊಂದಿರಬೇಕಾಗಿರುತ್ತದೆ.

ತಪ್ಪಿದಲ್ಲಿ ಮುಂದೆ ಜನವರಿ 2022ರ ಮಾಹೆಯಲ್ಲಿ ನಡೆಯಲಿರುವ ಆಡಳಿತ ಮಂಡಲಿ ಚುನಾವಣೆಯಲ್ಲಿ ಮತ ಚಲಾಯಿಸಲು ಹಾಗೂ ಸ್ಪರ್ಧಿಸಲು ಅವಕಾಶವಿರುವುದಿಲ್ಲ ಎಂಬ ವಿಷಯವನ್ನು ಈ ಮೂಲಕ ತಮಗೆ ತಿಳಿಸಲಾಗಿದೆ.



12. In view of our finding that preparation of the electoral roll is being an intermediate stage in the process of election of the managing committee of a specified society and the election process having been set in motion, it is well settled that the High Court should not stay the continuation of the election process even though there may be some alleged illegality or breach of rules while preparing the electoral roll. It is not disputed that the election in question has already been held and the result thereof has been stayed by an order of this Court, and once the result of the election is declared, it would be open to the appellant to challenge the election of returned candidate, if aggrieved, by means of an election petition before the election tribunal.

12. It follows from this decision that the adjudication of all questions must be as provided under Section 70(2) of the Co-operative Societies Act². However, in the present case the

² 70. Disputes which may be referred to Registrar for decision.-
(1) Notwithstanding anything contained in any law for the time being in force, if any dispute touching the constitution, management, or the business of a co-operative society arises,—

(a) xxxxxxxxxx

(2). For the purposes of sub-section (1), the following shall be deemed to be disputes touching the constitution, management or the business of a co-operative society, namely:—

(a). XXXXXXXXXXXXX

(b). XXXXXXXXXXXXXXX

(c). any dispute arising in connection with the election of a President, Vice- president, Chairman, Vice-chairman,



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respondents admit that there are deficiencies in finalization of Final Electoral List. The petitioners are admittedly not issued with individual notice as required under the provisions of Rule13-D (2-A) of the Co-operative Societies Rules; the petitioners have now cast their votes in the elections on 23.04.2022; the petitioners are not given the opportunity to show cause against the allegations that they have created documents. The respondents, despite admitting deficiencies in finalisation of the Final Electoral List, want to invoke the rule of alternative remedy. This Court is of the considered view that, in the peculiarities of this case, the writ petitions should be disposed of with directions to the concerned respondent to announce results counting even the votes cast by the petitioners and with liberty to all the concerned to avail remedy under Section 70(2) of the Act if aggrieved by the results. If such remedy is availed raising a dispute, exclusion of votes of those petitioners who are guilty of fraud can also be considered based on the material that will be placed on record.

Therefore, writ petitions are disposed of calling upon the Returning Officer [the fourth respondent/sixth respondent in the respective petitions] to announce the result forthwith including the votes cast by the petitioners in both the petitions. All the contentions are left open for consideration in appropriate proceedings, if commenced."

2. Learned counsel would submit that, if the same order is passed, it would suffice in this case also.

Secretary, Treasurer or Member of Committee of the society.



3. In that light, the writ petition is disposed calling upon the respondent – Returning Officer to announce the result forthwith including the votes cast by the petitioners. All the contentions are left open for consideration in appropriate proceedings, if commenced.

4. Learned counsel Sri. Vishwanath Hegde appearing for the respondent – Bank, in the concerned matters, would submit that in all these cases Rule 13D has been complied.

5. Submission is placed on record.

6. However, it is always open to urge all these grounds before the Authority.

5. It is submitted that, by virtue of the interim order passed in W.P. No.107614/2025 and connected matters, the representatives of the writ petitioners have already cast their votes in the election conducted to the Board of the Federal Society. It is also submitted that there are 16 constituencies, of which results to 15 constituencies have already been announced. It is submitted that due to the pendency of the present writ petition, the election conducted



to the 16th constituency in which the appellant herein has contested has not been announced.

6. The appellant was not a party to the proceedings in the writ petitions. It is submitted that, he being a contestant for one of the constituencies, had made an application to implead himself before the learned Single Judge. However, the same has not been considered favourably.

7. The present writ appeal is filed by the appellant on the ground that, he being a contestant to the Board of the Federal Society, if ineligible voters are allowed to vote, it would be detrimental to his interest and the same is not in accordance with law. It is contended that he has *locus standi* to file this appeal.

8. It is the case of the appellant that the writ petitions ought not to have been entertained by the learned Single Judge. It is contended that once notice under Section 13-D of the Rules are issued, the person, who is denied the



right to vote in the election, is required to raise a dispute. It is submitted that the writ petition was required to be dismissed on the said ground itself. It is also contended that this Court cannot go into the disputed question of fact as to whether the primary societies were rightly denied permission to vote or not.

9. Learned counsel appearing for the Federal Society supports the contention of the appellant. It is submitted that Rule 13-D of the Rules has been complied with by the Society, and the learned Single Judge erred in allowing the writ petition as prayed for without considering the said fact.

10. The appellant places reliance on the order passed by this Court in Writ Appeal No.100620/2024, paragraphs 8, 9 and 10 of which read as under:

"8.The directions issued by the learned Single Judge in the judgments cited supra do not appear to advance the case of the petitioners-appellants herein. Both judgments, heavily relied upon by the petitioners, pertain to instances where the writ



petitions were instituted prior to the conclusion of the election process, and in those cases, the Writ Court had granted interim relief by permitting the alleged ineligible voters to cast their votes. It was in this specific context that the learned Single Judges, while referring to the decisions of the Hon'ble Supreme Court in Shri Sant Sadguru Janardan Swami (Moingiri Maharaj) Sahakari Dugdha Utpadak Sanstha and Another vs. State of Maharashtra and Others and of this Court in Sri B. Ganganna and Others vs. The State of Karnataka and Others (both cited supra), arrived at the conclusion that the votes cast by such ineligible voters were liable to be counted. This conclusion was drawn particularly because the Returning Officers, in both cases, had not seriously disputed the allegation that individual notices were not issued to those members who had been declared ineligible. Consequently, the Writ Court directed that the dispute regarding the validity of the voters' list and the right to vote be adjudicated under Section 70 of the Karnataka Co-operative Societies Act, 1959, thus relegating the parties to the alternative remedy prescribed by statute.

9. We have also given anxious consideration to the law laid down by the learned Single Judge in Sri B.Ganganna and Others vs. The State of Karnataka and Others (cited supra), wherein reliance was also



placed upon an earlier decision rendered in Mohammad Beary and Others vs. The State of Karnataka and Others (W.P. No.29271/2023 and connected matters). Upon a closer examination of the principles enunciated in both these decisions, it becomes evident that the learned Single Judges were of the considered view that any person aggrieved by the non-inclusion of members in the voter's list of a Co-operative Society ought not to invoke the writ jurisdiction of the High Court under Article 226 of the Constitution, in light of the efficacious alternative remedy available under Section 70(2) of the Karnataka Cooperative Societies Act, 1959. In Mohammad Beary's case, the learned Single Judge categorically held that a writ petition challenging the electoral list was not maintainable at all. In the subsequent judgment in Sri B. Ganganna's case, the learned Single Judge, while agreeing in principle with the above position, made a further distinction: although an appeal may not lie against an infraction of the procedure under Rule 13-D(2-A) of the Karnataka Co-operative Societies Rules, 1960, the writ jurisdiction of the High Court is not entirely ousted. It may still be invoked in exceptional cases where there is tangible material to demonstrate a gross miscarriage of justice or a manifest illegality in the preparation of the voters' list.



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10. In the present case, the elections were scheduled to be held on 15.12.2024, and it is an admitted fact that the petitioners were denied participation in the electoral process. However, applying the legal principles laid down in Mohammad Beary and Sri B. Ganganna (both cited supra), we are unable to discern any material irregularity or procedural impropriety that would justify interference with the impugned order. The learned Single Judge, in the present matter, has rightly relied on the binding principles enunciated in the aforementioned decisions, and we find no compelling reason to deviate from the same. The impugned order, therefore, does not suffer from any legal infirmity or perversity that would warrant interference by this Court in the exercise of its appellate jurisdiction under Article 226 of the Constitution of India.”

11. Based on the aforementioned judgment, it is contended that the writ appeal is required to be allowed and the writ petition is required to be dismissed.

12. *Per contra*, the counsel for the primary societies (respondents No.8 to 18) submits that the aforementioned judgment has no applicability to the case on hand. He submits that in the aforementioned writ appeal



votes were not yet cast by the concerned members and, in the instant case, votes were cast by virtue of the interim order passed in the writ petition and, presently, the entire election process is over, but for counting of votes of the 16th constituency. It is submitted that a perusal of the order of the learned Single Judge shows that, though the Federal Society submitted that Rule 13-D of the Rules has been complied with, they conceded for counting of votes of the representatives of the respondents No.8 to 18 primary societies. It is further submitted that respondent No.7-Federal Society has not challenged the impugned order. It is also submitted that respondent No.7-society accepted the order passed in eight writ petitions and is supporting the case of the appellant in only one writ petition and the same is not permissible. Reliance is also placed on the order of this Court passed in Writ Appeal No.100771/2025 which reads as under:

"The appellant, a non-party to W.P. No.108820/2025, is before this Court under Section 4 of the Karnataka High Court Act, 1961, questioning



the order dated 26.11.2025 passed in W.P. No.108820/2025, whereunder the learned Single Judge directed the Returning Officer to announce the result forthwith including the votes cast by the petitioners.

2. Petitioners, 573 in numbers, approached the learned Single Judge with a prayer to issue a writ of mandamus directing the respondents to include the names of the petitioners in the final 'C' category individual members eligible voter list, and to permit the petitioners to cast the vote in the election to the committee of Management of respondent No.7-Society scheduled to be held on 23.11.2025 in terms of the Calendar of Events dated 28.10.2025. In terms of the interim order granted by the learned Single Judge, the petitioners have cast their votes in the election to the Committee of Management of respondent No.7-Society. The learned Single Judge having found that exclusion of the petitioners' names was not proper, allowed the writ petition directing the Returning Officer to announce the result forthwith including the votes cast by the petitioners leaving all contentions open for consideration in appropriate proceedings if commenced.

3. Learned counsel Sri S.A.Sandur would submit that the rigor of Rule 13D-2(A) of the Karnataka Co-operative Societies Rules has been complied and there



was no occasion for the learned single Judge to issue direction to the respondent Returning Officer to announce the result including the votes cast by the petitioners.

4. It is to be noticed that the appellant is not a party to the writ proceedings. The appellant claims that he was one of the contestants to the Managing Committee of the Society. If that is so, if any dispute arises on announcing the result of the election, it is always open for the appellant to initiate appropriate proceedings. The appellant has no locus to challenge the order of the learned single Judge, more so when the 7th respondent has not chosen to challenge the learned single Judge's order.

5. With the above, the writ appeal stands disposed of."

13. It is submitted that the facts of this case is similar to that of the facts in W.A. No.100771/2025.

14. Admittedly, a bare reading of the impugned order shows the counsel for the respondent-Federal Society contended that Rule 13-D has been complied with; he has conceded for counting of votes of the representatives of



respondents No.8 to 18-primary societies. Further, the writ petitioners have cast their votes by virtue of interim orders passed in the writ petition. It is also not in dispute that of the 16 constituencies, votes of the writ petitioners have been counted in 15 constituencies and result has already been declared. It is also not in dispute that respondent No.7-Federal Society has not challenged the impugned order. It is also not in dispute that though respondent No.7-Society is supporting the case of the appellant herein in respect of the election regarding 16th constituency, has accepted the impugned order in respect of 15 other constituencies. Under the said circumstances, in our opinion, the order passed by this Court in W.A. No.100620/2024 has no applicability and the facts of the present case are very similar to that of the facts in W.A. No.100771/2025. We see no reason to differ from the said decision.

15. If the appellant is aggrieved by the election process, he has the liberty to dispute the election process before the appropriate authority in the manner known to law.



16. For the aforementioned reasons, the writ appeal is hereby dismissed.

In view of dismissal of the appeal, pending I.As., if any, also stand disposed of as not surviving for consideration.

**Sd/-
(M.I.ARUN)
JUDGE**

**Sd/-
(B. MURALIDHARA PAI)
JUDGE**

VB para No.1 to 4.
KMS- Para 5 to end.
CT:ASC
List No.: 1 Sl No.: 16