



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 201194 OF 2026 (CS-RES)

C/W

WRIT PETITION NO. 201218 OF 2026 (CS-EL/M)

IN WP No. 201194/2026:

BETWEEN:

SRI ASHOK S/O ANNA RAO,
AGE ABOUT 50 YEARS, OCC: DIRECTOR AINAPUR
MILK PRODUCERS CO-OPERATIVE SOCIETY LTD,
AINAPUR VILLAGE, TQ. CHICHOLI,
DIST. KALABURAGI NOW ELECTED AS DIRECTOR OF
KALABURAGI-BIDAR AND YADGIR CO-OPERATIVE
MILK PRODUCERS' SOCIETIES UNION LTD
KALABURAGI.

...PETITIONER

(BY SRI. HALALLI S. S., ADVOCATE)

AND:

1. THE JOINT REGISTRAR
OF CO OPERATIVE SOCIETIES,
KALABURAGI REGION, 1ST FLOOR, NEHARU GUNJ,
KALABURAGI-585104.
2. DR. DIVAKAR RAO
S/O KRISHNARAO JAHAGIRDAR,
AGED ABOUT 64 YEARS, PRESIDENT,



RANAPURA MILK PRODUCERS CO-OPERATIVE
SOCIETY LTD., RANAPURA VILLAGE,
CHINCHOLI TALUKA KALABURAGI DISTRICT-585307.

3. VITTALREDDY S/O KRISHNAREDDY,
AGED ABOUT 64 YEARS, DIRECTOR (DELEGATED),
BENAKANAHALLI MILK PRODUCERS CO-OPERATIVE
SOCIETY LTD.,
BENAKANAHALLI VILLAGE, CHINCHOLI TALUKA,
KALABURAGI DISTRICT-585307.
4. CHITRALEKHA W/O PRATAPREDDY,
AGE: MAJOR, PRESIDENT,
SULEPETH WOMEN MILK PRODUCERS CO-OPERATIVE
SOCIETY LTD SULEPETH, CHINCHOLI TALUKA,
KALABURAGI DISTRICT.
5. VEERASHETTY S/O SHIVARAY,
AGE ABOUT 51 YEARS, DIRECTOR OF SHIKARA MILK
PRODUCERS CO-OPERATIVE SOCIETY LTD.,
SHIKARA MOTAKAPALLI, CHINCHOLI TALUKA,
KALABURAGI DISTRICT-585307.
6. KALLAPPA S/O GUNDAPPA,
AGE MAJOR, DIRECTOR OF YAMPALLI MILK
PRODUCERS CO-OPERATIVE SOCIETY LTD.,
YAMPALLI, CHINCHOLI TALUKA,
KALABURAGI DISTRICT-585307.
7. GHALLAPPA S/O GUNDAPPA,
AGE: MAJOR, DIRECTOR OF CHENGTA MILK
PRODUCERS CO-OPERATIVE SOCIETY LTD.,
CHENGTA, CHINCHOLI TALUKA,
KALABURAGI DISTRICT-585307.
8. BHEEMAREDDY S/O RAMAREDDY,
AGED ABOUT 48 YEARS, DIRECTOR OF DEGULMADI
MILK PRODUCERS CO-OPERATIVE SOCIETY LTD
DEGULMADI, CHINCHOLI TALUKA,
KALABURAGI DISTRICT-585307.



9. SHEKARA S/O SHAMARAO,
AGED ABOUT 44 YEARS, PRESIDENT OF
GADILINGADAHALLI MILK PRODUCERS CO-
OPERATIVE SOCIETY LTD GADILINGADAHALLI,
CHINCHOLI TALUKA,
KALABURAGI DISTRICT-585307.
10. NAGAMMA W/O BASAVARAJ,
AGED ABOUT 44 YEARS, PRESIDENT OF
HUVINABHAVI MILK PRODUCERS CO-OPERATIVE
SOCIETY LTD HUVINABHAVI, CHINCHOLI TALUKA,
KALABURAGI DISTRICT-585307.
11. MALLIAKRJUN S/O NAGANNA,
AGED MAJOR PRESIDENT OF IVANI MILK
PRODUCERS CO-OPERATIVE SOCIETY LTD IVANI,
CHINCHOLI TALUKA, KALABURAGI DISTRICT-
585307.
12. THE RETURNING OFFICER,
KALABURAGI-BIDAR AND YADGIR
CO-OPERATIVE MILK PRODUCERS' SOCIETIES UNION
LTD., KALABURAGI AND THE ASST. COMMISSIONER,
KALABURAGI, KALABURAGI-585104

...RESPONDENTS

(BY SRI MALHARA RAO, AAG ALONG WITH
SRI SHESHADRI JAISHANKAR M., AGA FOR R1;
SRI VENKATESH C. MALLABADI, ADVOCATE FOR C/R2;
V/O DTD. 13.03.2026 NOTICE TO R3 TO R11 IS
DISPENSED WITH)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO I) TO
ISSUE A WRIT OF CERTIORARI OR ANY OTHER ORDER IN THE
LIKE NATURE QUASHING AN ORDER AN ORDER DATED
14.01.2026 IN CO-OP APPEAL NO. 311/2024 AND CO-OP
PASSED BY THE HON'BLE KARNATAKA APPELLATE TRIBUNAL
AT BENGALURU ANNEXURE-L. II) TO ISSUE A WRIT OF
CERTIORARI OR ANY OTHER ORDER IN THE LIKE NATURE



QUASHING AN ORDER AN ORDER DATED 18.10.2024 VIDE GOVT. NO.ಜಂನಿಕ/ಎ-4ಕಲಂ-70/ದಾವಾ ಸಂಖ್ಯೆ-60/2023-24 PASSED BY THE 1st RESPONDENT AUTHORITY ANNEXURE-J. iii) OR TO PASS ANY OTHER ORDER AS THIS HON'BLE COURT DEEMS FIT UNDER THE FACTS AND CIRCUMSTANCES OF THE CASE.

IN WP NO. 201218/2026:

BETWEEN:

VITTALREDDY S/O KRISHNAREDDY,
AGED ABOUT 64 YEARS, DIRECTOR, BENAKANAHALLI
MILK PRODUCERS CO-OPERATIVE SOCIETY LTD.,
BENAKANAHALLI VILLAGE, CHINCHOLI TALUKA,
KALABURAGI DISTRICT-585307,
NOW ELECTED AS DIRECTOR OF
KALABURAGI-BIDAR AND YADGIR
CO-OPERATIVE MILK PRODUCERS'
SOCIETIES UNION LTD KALABURAGI.

...PETITIONER

(BY SRI. HALALLI S. S., ADVOCATE)

AND:

1. THE JOINT REGISTRAR
OF CO OPERATIVE SOCIETIES KALABURAGI REGION,
1ST FLOOR, NEHARUGUNJ, KALABURAGI-585104.
2. DR. DIVAKAR RAO
S/O KRISHNARAO JAHAGIRDAR,
AGED ABOUT 64 YEARS, PRESIDENT, RANAPURA MILK
PRODUCERS CO-OPERATIVE SOCIETY LTD.,
RANAPURA VILLAGE, CHINCHOLI TALUKA,
KALABURAGI DISTRICT-585307.
3. SRI. ASHOK S/O ANNA RAO,
AGE ABOUT 52 YEARS, OCC: DIRECTOR
AINAPUR MILK PRODUCERS CO-OPERATIVE SOCIETY
LTD, AINAPUR VILLAGE,
TALUKA CHICHOLI, DIST KALABURAGI.



4. CHITRALEKHA W/O PRATAPREDDY
AGE: MAJOR, PRESIDENT, SULEPETH WOMEN MILK
PRODUCERS CO-OPERATIVE SOCIETY LTD
SULEPETH, CHINCHOLI TALUKA,
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KALABURAGI DISTRICT-585307.
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AGED ABOUT 44 YEARS, PRESIDENT OF HUVINABHAVI
MILK PRODUCERS CO-OPERATIVE SOCIETY LTD,
HUVINABHAVI, CHINCHOLI TALUKA,



KALABURAGI DISTRICT-585307.

11. MALLIKARJUN S/O NAGANNA,
AGED: MAJOR PRESIDENT OF IVANI MILK PRODUCERS
CO-OPERATIVE SOCIETY LTD, IVANI,
CHINCHOLI TALUKA,
KALABURAGI DISTRICT-585307.

12. THE RETURNING OFFICER,
KALABURAGI-BIDAR AND YADGIR CO-OPERATIVE
MILK PRODUCERS' SOCIETIES UNION LTD
KALABURAGI AND THE ASST. COMMISSIONER
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THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, I)
TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER ORDER
IN THE LIKE NATURE NO. 314/2024 AND CO-OP PASSED BY
THE HON'BLE KARNATAKA APPELLATE TRIBUNAL AT
BENGALURU ANNEXURE-K. II) TO ISSUE A WRIT OF
CERTIORARI OR ANY OTHER ORDER IN THE LIKE NATURE
QUASHING AN ORDER AN ORDER DATED 18.10.2024 VIDE
GOVT. NO.ಜಂನಿಕೆ/ವಿ-4/ಕಲಂ-70/ದಾವಾ ಸಂಖ್ಯೆ-60/2023-24 PASSED BY
THE 1st RESPONDENT AUTHORITY ANNEXURE-J. iii) OR TO
PASS ANY OTHER ORDER AS THIS HON'BLE COURT DEEMS
FIT UNDER THE FACTS AND CIRCUMSTANCES OF THE
CASE.

THESE PETITIONS, COMING ON FOR PRELIMINARY
HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY



ORAL COMMON ORDER

1. In these two writ petitions, the grievance of the petitioners is common and they have assailed the common order passed by the first respondent dated 18.10.2014, which is confirmed by the Karnataka Appellate Tribunal by common order dated 14.01.2026 passed in Co-op Appeal No.311 of 2024 and Co-op Appeal No.314 of 2024. Therefore, these writ petitions are heard together with the consent of learned advocates on both sides and are disposed of by this common order.

2. The petitioners herein and respondent no.2 had contested for the election that was held to the post of Director of Kalaburagi – Bidar and Yadgir Co-operative Milk Producers Society Union Ltd. Petitioner in WP No.201194 of 2026 had secured 13 votes and the petitioner in WP No.201218 of 2026 had secured 12 votes. The second respondent herein allegedly had secured 5 votes. It is under these circumstances, the petitioners in these two petitions were declared elected as Directors of the aforesaid Society.



3. The second respondent had raised a dispute under Section 70 of the Karnataka Co-operative Societies Act, 1959 before the first respondent, challenging the declaration of the petitioner's herein as elected to the post of Directors of Society. First respondent vide order at Annexure-J dated 18.10.2024 had set aside the election results of the petitioners herein, pursuant to the election to the post of Director of the aforesaid Society that was held on 29.09.2023 and had directed to hold a fresh election for the two posts of Directors of the Society (Sedum sub-division). The said order at Annexure-J dated 18.10.2024 was assailed in appeal by the petitioners herein in co-operative Appeal No.311/2024 and co-operative Appeal No.314/2024 before the Karnataka Appellate Tribunal at Bengaluru, which were dismissed vide order at Annexure-L dated 14.01.2026. It is under these circumstances, the petitioners are before this Court.

4. Perusal of the material on record would go to show that 8 voters who were found ineligible to vote and were not included in the voters' list, had approached this



Court in W.P.No.202644/2023 and in the said writ petition this Court had passed an interim order to include the name of the aforesaid 8 ineligible voters who are arrayed as respondent Nos.8 to 11 in this writ petition and had permitted them to cast their votes in the ensuing election that was scheduled to be held on 29.09.2023. It was made clear that the interim order passed in W.P.No.202644/2023 was subject to the result of the writ petition.

5. It is not in dispute that on the strength of the interim order dated 20.09.2023 passed in W.P.No.202644/2023, respondent Nos.4 to 11 herein had participated in the election process that was held on 29.09.2023 and had cast their votes. Subsequently, the said writ petition was dismissed by this Court vide Annexure-F dated 11.12.2023. Respondent No.1 having appreciated that 8 ineligible voters had participated in the election that was held on 29.09.2023 and had cast their votes in favour of the candidates who had contested to the



post of two Directors of the Society, has set aside the election results insofar as it relates to the post of two Directors (Sedam Sub-division), on the ground that election to the said two posts of Directors was vitiated since ineligible voters had participated in the election and had cast their votes.

6. The petitioners herein have secured 13 and 12 votes respectively and out of the said votes, if 8 votes of the ineligible voters is reduced, then they would have secured 5 votes and 4 votes respectively as against 5 votes that was secured by respondent No.2. Respondent No.1 as well as the Karnataka Appellate Tribunal have held that election for the post of two Directors from Sedam Sub-division was vitiated since 8 out of total 17 voters were found to be ineligible voters. 8 voters out of the total 17 voters would amount to a substantive number and therefore, I am of the opinion that the election to the two posts of Directors of the aforesaid Society (Sedam Sub-division) was vitiated and therefore first respondent rightly



set aside the election results to the post of two Directors (Sedam sub-division) that was held on 29.09.2023. Respondent No.1 having set aside the election results, has directed respondent No.12 to hold a fresh election to the aforesaid posts of two Directors (Sedam Sub-division).

7. Under the circumstances, I do not find any illegality or irregularity in the orders impugned, which calls for interference by this Court in exercise of its extraordinary jurisdiction under Article 226 of the Constitution of India. Accordingly, the following:

ORDER

- (i) The Writ Petitions are ***dismissed***.
- (ii) Election to the post of two directors (Sedam division) shall be held expeditiously but not later than a period of three months from the date of receipt of copy of this order.
- (iii) Liberty is reserved to the respective Societies whose name is found in the list of



eligible voters to send the name of their
delegates afresh, if need arises.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

NMS,SWK
List No.: 1 Sl No.: 10
Ct:pk