



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 22ND DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 201681 OF 2026 (GM-EC)

BETWEEN:

SRI SANJEEVKUMAR S/O LATE SHARANAPPA
AGED ABOUT 41 YEARS,
OCC NIL,
R/O BORAL,
TQ CHITGUPPA
DIST BIDAR 585412

...PETITIONER

(BY SRI RAVI B PATIL, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPT. OF FOOD AND CIVIL SUPPLIES
VIDHANA SOUDHA,
BENGALURU 560001
BY ITS UNDER SECRETARY
2. THE FOOD COMMISSIONER
FOOD AND CIVIL SUPPLIES
CUNNINGHAM ROAD,
BENGALURU 650052
3. THE DEPUTY COMMISSIONER
D. C. OFFICE,
BIDAR 585401





4. THE DEPUTY DIRECTOR
FOOD AND CIVIL SUPPLIES
BIDAR 585401
5. THE TAHASILDAR
CHITGUPPA TALUKA
TAHASIL OFFICE,
CHITGUPPA 585412

...RESPONDENTS
(BY SRI MALLIKARJUN SAHUKAR, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) ISSUE A WRIT IN THE NATURE OF CERTIORARI AND QUASH THE IMPUGNED ENDORSEMENT BEARING NO.ಅನಾಸ/ನ್ಯಾಬೆಲಂ/ಸಿಆರ್-75/2025-26 DATED 06-04-2026 VIDE ANNEXURE-E ISSUED BY THE 4TH RESPONDENT AUTHORITY; B) ISSUE A WRIT IN NATURE OF MANDAMUS DIRECTING THE RESPONDENT AUTHORITY TO CONSIDER THE APPLICATION OF THE PETITIONER DATED 24-02-2026 OF SEEKING TO TRANSFER THE AUTHORIZATION OF THE FAIR PRICE SHOP ON COMPASSIONATE GROUND VIDE ANNEXURE-C, WITHIN SUCH STIPULATED TIME AS THIS COURT DEEMS FIT IN THE CIRCUMSTANCES OF THE CASE, IN THE INTEREST OF JUSTICE AND EQUITY; C) PASS SUCH OTHER ORDER/S AS THIS COURT DEEMS FIT IN THE CIRCUMSTANCES OF THE CASE INCLUDING AN ORDER AS TO THE COSTS OF THE PRESENT WRIT PETITION, IN THE INTEREST OF JUSTICE AND EQUITY.



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

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

ORAL ORDER

Petitioner is before this Court under Articles 226 and 227 of the Constitution of India seeking for the following reliefs:

- "a) Issue a writ in the nature of certiorari and quash the impugned endorsement bearing No.ಅನಾಸ್/ನ್ಯಾಬಿಅಂ/ಸಿಆರ್-75/2025-26 dated 06-04-2026 vide Annexure-E issued by the 4th respondent authority;*
- b) Issue a writ in nature of mandamus directing the respondent authority to consider the application of the petitioner dated 24-02-2026 of seeking to transfer the authorization of the fair price shop on compassionate ground vide Annexure-C, within such stipulated time as this court deems fit in the circumstances of the case, in the interest of justice and equity;*
- c) Pass such other order/s as this court deems fit in the circumstances of the case including an order as to the costs of the present writ petition, in the interest of justice and equity."*

2. Heard the learned counsel for the petitioner and the learned Additional Government Advocate on behalf of respondent Nos.1 to 5.



3. Petitioner's father late Sharanappa S/o Veerappa was an authorized fair price shop dealer in Boral village of Humnabad taluk, Bidar district. It appears that petitioner's father had died on 20.02.2026 and after his death, the petitioner had filed an application with a prayer to transfer the licence/permission in his favour to run the fair price shop No.14 at Boral village, Humanabad taluk and had produced necessary documents along with the application. Respondent No.4 vide endorsement at Annexure-E dated 06.04.2026 has rejected petitioner's application dated 24.02.2026 wherein he had sought for transfer of fair price shop licence/permission. Aggrieved by the same, the petitioner is before this Court.

4. Learned counsel for the petitioner submits that the question that arises for consideration in this writ petition is squarely covered by the order passed by the Co-ordinate Bench of this Court in W.P.No.203233/2025 disposed of on 19.01.2026. Accordingly, he prays to allow the petition.



5. Learned Additional Government Advocate appearing on behalf of the respondents does not dispute the said submission.

6. The Co-ordinate Bench of this Court in W.P.No.203233/2025, in identical circumstances wherein the prayer made by the petitioner for transfer of the fair price shop licence/permission in his favour was rejected for the reason that his father had died at the age of 69 years and therefore in view of the bar provided under Rule 13 of the Control Order of 2017, transfer of the licence is not permissible, has quashed similar endorsement and has directed to transfer the licence/permission. In para-8 of the said order it is observed as follows:

"8. This matter was dealt with by this Court on earlier occasion and in several cases, it is held that transfer of authorization is permitted on compassionate ground despite Rule 13 of the Control Order. This Court in W.P.No.203085/2023 has in fact considering the very same ground of age being barred has negated the contention and allowed the petition permitting the transfer of authorization of



the licence in favour of the petitioner. Therefore, it would not take much time for this Court to further delve into the matter for consideration of the case on hand, as it is not in dispute that the petitioner is the son of late Sri Mallayya Swami who was originally the authorized licensee of a fair price depot with Authorization No.16/1993-94. Under these circumstances, the petitioner would also be entitled to the similar order passed by this Court on earlier occasions.”

7. Under the circumstances, the following:

ORDER

- (i) The Writ Petition is ***allowed***.
- (ii) The impugned endorsement at Annexure-E dated 06.04.2026 issued by respondent No.4 is quashed.
- (iii) A direction is issued to respondent No.4 to transfer the authorization/licence that was held by petitioner's father to run fair price shop No.14 situated at Boral village, Humnabad taluk, Bidar district in favour of the petitioner on compassionate ground and



the said exercise shall be completed as expeditiously as possible but not later than a period of ***four weeks*** from the date of receipt of copy of this order.

**Sd/-
(S.VISHWAJITH SHETTY)
JUDGE**

SWK
List No.: 1 Sl No.: 23