

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF APRIL 2015

BEFORE

THE HON'BLE MR.JUSTICE H.G.RAMESH

WRIT PETITION Nos.19037-19038/2015 (CS-EL/M)

BETWEEN:

1. SRI BUJANGA NAIK
S/O SRI SIDDA NAIK
AGED ABOUT 45 YEARS
PRESIDENT, PRATHAMIKA KRISHI PATTINA
SAHAKARA SANGHA NIYAMITHA
HEBBALAGUPPE, H.D.KOTE TALUK
MYSORE DISTRICT – 571 114

2. SRI M.S.NANJE GOWDA
S/O LATE THIMMANANJE GOWDA
AGED ABOUT 57 YEARS
PRESIDENT, PRATHAMIKA KRISHI PATTINA
SAHAKARA SANGHA NIYAMITHA
MADAPURA, H.D.KOTE TALUK
MYSORE DISTRICT – 571 114 ... PETITIONERS

(BY SRI SACHIN B.S. FOR
M/S ARUNA SHYAM ASSOCIATES, ADVOCATES)

AND:

1. THE COMMISSIONER
CO-OPERATIVE ELECTION AUTHORITY
3RD FLOOR, TTMC BUILDING, 'A' BLOCK
SHANTHINAGAR, BANGALORE – 560 027
2. THE ELECTION OFFICER
T.A.P.M.S. LIMITED
H.D.KOTE TALUK
MYSORE DISTRICT – 571 114

3. THE DEPUTY REGISTRAR OF
CO-OPERATIVE SOCIETIES
MYSORE DISTRICT
MYSORE – 570 001
4. T.A.P.M.S. LIMITED
H.D.KOTE TALUK
MYSORE DISTRICT
REPRESENTED BY ITS
SECRETARY/CEO – 571 114

... RESPONDENTS

THESE WRIT PETITIONS ARE FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS TO CONSIDER THE REPRESENTATION DTD.25.04.2015 VIDE ANNEXURES F,G H,J,K & L RESPECTIVELY AND ALSO THE REPRESENTATION DTD.28.4.2015 VIDE ANNEXURES - M,N,P,Q,R,S,T & V RESPECTIVELY AND PASS APPROPRIATE ORDERS REGARDING THE GRIEVANCES URGED IN THE SAID REPRESENTATIONS, AND FURTHER DIRECTING TO HOLD ELECTIONS IN ACCORDANCE WITH LAW AND BYE-LAWS OF THE R-4 SOCIETY IN TERMS OF THE CALENDAR OF EVENTS ALREADY ANNOUNCED COMMENCING FROM 1.5.2015 TO 9.5.2015 AND ETC.

THESE WRIT PETITIONS COMING ON FOR ORDERS, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

H.G.RAMESH, J. (Oral):

The election to the Board of Directors of respondent No.4- Society is scheduled on 09.05.2015. In these writ petitions, the petitioners want this Court to interfere with the election process. The election notification is dated 23.04.2015 and the last date for filing of nominations is tomorrow i.e. 01.05.2015. In the light of the Full Bench

judgment of this Court in Nanjundaswamy vs. A.R.C.S. (ILR 1992 KAR 979), I decline to entertain these petitions with liberty to the petitioners to avail of the remedy of an election petition provided under the provisions of the Karnataka Co-operative Societies Act, 1959.

Petitions dismissed.

**Sd/-
JUDGE**

BNS