

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF JUNE 2019

BEFORE

THE HON'BLE MR. JUSTICE P. B. BAJANTHRI

WRIT PETITION No.29452 OF 2016 (S-RES)

Between:

Sri. Shashidara M.R,
S/o Rudrappa Gowda S,
Aged about 45 years,
Occ: Hindi Teacher,
Working at Sri. Umamaheshwari
Rural High School,
Mavali, Soraba (Taluk),
Shivamoga (District)

...Petitioner

(By Sri. Maruthi G.B, Advocate)

And:

1. The State of Karnataka,
Represented by its Principal Secretary,
Department of Primary and Secondary
Education, M.S.Building,
Dr. Ambedkar Veedhi, Bengaluru-560 001.
2. The Commissioner,
Department of Primary
And Secondary Education.
Nrupatunga road, Bengaluru-560 001.
3. The Deputy Director of Public
Instructions, Administration,

Department of Public Instructions,
Shivamogga-577 201.

4. The Block Education Officer,
Soraba, Shivamogga District-577 202.
5. Sri. Umamaheshwara Gramantar
Vidyavardhaka Sanga (R) Mavali,
Soraba Taluk, Shivamogga District-577 429.

...Respondents

(By Sri. Sridhar N.Hegde, HCGP for R1 to R4;
Sri.D.C.Parameswaraiah M/s.Shivayogimath
Associates, Advocate for R5)

This Writ Petition is filed under Articles 226 and 227 of Constitution of India praying to quash the endorsement dated 05.10.2015 passed by the respondent No.3 vide Annexure-J and quash the letter dated 22.12.2015 made by the respondent No.5 vide Annexure-K.

This Writ Petition coming on for *Preliminary Hearing in 'B' Group* this day, the Court made the following:-

ORDER

In the instant petition, petitioner has sought for quashing of the endorsement dated 05.10.2015 (Annexure-J), passed by the Deputy Director-respondent No.3 (Department of Public Instructions) and the letter dated 22.12.2015 (Annexure-K) made by the respondent No.5 relating to filling up of Teachers posts.

2. Petitioner has remedy before the Deputy Director of Public Instruction. Therefore, petitioner is permitted to make necessary application before the Deputy Director against the orders of respondent Nos.3 and 5 dated 05.10.2015 and 22.12.2015 within a period of four weeks from today.

3. Delay in entertaining the application against the endorsement dated 05.10.2015 and letter dated 22.12.2015 may not be a hurdle, since, the petitioner was pursuing present writ petition.

4. The Deputy Director is hereby directed to entertain the petitioner's application, in questioning the endorsement dated 05.10.2015 and letter dated 22.12.2015 passed by respondent Nos.3 and 5 and decide within a period of three months from the date of receipt of petitioner's application.

Accordingly, petition stands disposed of.

**Sd/-
JUDGE**

SB