

IN THE HIGH COURT OF KARNATAKA, BENGALURU

DATED THIS THE 29TH DAY OF NOVEMBER, 2019

BEFORE

THE HON'BLE MR. JUSTICE KRISHNA S.DIXIT

WRIT PETITION NOS. 53224-53241 OF 2018 (S-RES)

BETWEEN:

1. SRI SADANANDHA P
S/O P. MONAPPA GOWDA
AGED ABOUT 56 YEARS,
RESIDING AT PERULUMPADY DODDAMANE HOUSE
KOTHEGE VILLAGE PERLAMPADY POST
PUTTUR TALUK, D.K – 574 201
2. SRI. GUNAPALA U.G
S/O V.S. GANAPPAYYA
AGED ABOUT 52 YEARS,
RESIDING AT UPPALIGE HOUSE
YEREKALLU VILLAGE
DEVAHALLI POST
SULLIA TALUK, D.K.- 574 201.
3. SRI. K. KUKKANNA
S/O DODDACHONKRA
AGED 57 YEARS,
RESIDING AT KULAMPADY HOUSE
AIVARNADU POST & VILLAGE
SULLIA TALUK, D.K – 574 201.
4. SRI. KESHAVA.S
S/O SHESHAPPA POOJARY
AGED 56 YEARS,
RESIDING AT SARAKERE HOUSE
AIVARNADU POST & VILLAGE
SULLIA TALUK, D.K – 574 201.
5. SRI. K. RAMACHANDRA
S/O HONNAPPA GOWDA
AGED 55 YEARS,
RESIDING AT KUDTHUGULI HOUSE
PERLAMPADY POST,
KOTHIGE VILLAGE
PUTTUR TALUK, D.K- 574 201.

6. SRI. MADHAVA SAPALYA
S/O MOHANA SAPALYA
AGED 54 YEARS,
RESIDING AT KAMPRABAIL HOUSE
BALTHILA POST & VILLAGE
BANTWAL TALUK,
D.K 574 253.
7. SRI. P. GOPALA KRISHNA
S/O AITHAPPA NAIKA
AGED 55 YEARS,
RESIDING AT MACHCHIMALE HOUSE
ARYAPUR POST & VILLAGE
PUTTUR TALUK,
D.K 574 201.
8. SRI. RUKMA MOOLYA
S/O LATE SHESHA MOOLYA
AGED 57 YEARS,
RESIDING AT UPPALIGE HOUSE
BETTAMPADY POST & VILLAGE
PUTTUR TALUK,
D.K – 574 201.
9. SRI. SEETHARAMA H.B
S/O BABU. H.
AGED 53 YEARS,
RESIDING AT SHANTHI NILAYA
PUTURABAILU HOUSE
LAILA POST & VILLAGE
BELTHANGADY POST,
D.K – 574 253.
10. SRI. AJITH KUMAR
S/O LATE ODI MESTRY
AGED 53 YEARS,
RESIDING AT MASTHIKATTE HOUSE
#18, MOODABIDRI POST
MANGALURU,
D.K – 575 002.
11. SMT. SAVITHRI D
W/O AIYYANNA P.O
AGED 58 YEARS,
C/O VISHWANATHA AMIN
NISHKA HOUSE, DEREBAIL
KONCHADY,
MANGALURU,
D.K-575 003.

12. SMT. MOHINI SHETTY
W/O B.S. SHETTY
AGED 53 YEARS
RESIDING AT #3-33/2854
CHOWTAS COMPOUND
PINTO LANE, POST BEJAI
MANGALURU 575 004.

13 . SMT. CHANDRAVATHI K.M
W/O JAYARAMA K.A
AGED 53 YEARS
RESIDING AT "AKSHYA NILAYA"
KORDEL,
SHAKTHINAGARA
MANGALURU D.K – 575 004..

14 . SMT MOHINI
W/O SRINIVAS GATTY
AGED 57 YEARS,
RESIDING AT SOVOORU GATTY HOUSE
SAVOORU VILLAGE & POST
KOTEKAR,
MANGALURU, D.K – 575 003.

15 . SRI. P.K. SHEKARA GOWDA
S/O LATE P.K. KORAGAPPA GOWDA
AGED 57 YEARS
RESIDING AT KALLEGA HOUSE
NEHRUNAGARA POST,
KABAKA VILLAGE
PUTTUR D.K 574 201.

16 . SRI. CHANDRASHEKARA BHAT.K
S/O GANGADHARA BHAT
AGED 52 YEARS,
RESIDIG AT "SANTHRUPTHI"
4TH MAIN, DODDANNAGUDDE
VIM NAGAR,
KADIYALI POST
UDUPI DISTRICT-576 101.

17 . SMT. LOLAKSHI SHETTY
W/O LATE GOPAL SHETTY
AGED 53 YEARS,
RESIDING AT SHREE MANGALA NILAYA"
JEPPU MARKET ROAD
BOLAR,
MANGALURU – 575 004.

18 . SRI. M. KRISHNA JOISH
 S/O NARAYANA JOISH
 AGED 54 YEARS,
 RESIDING AT "SRI DEVIKRIPA"
 VIJAYANAGARA, KAMPLALA
 P.O. KOTEKAR
 MANGALURU 575 022.

... PETITIONERS

(BY SRI. VISHWAJITH SHETTY S, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
 REPRESENTED BY ITS SECRETARY TO
 DEPARTMENT OF CO-OPERATION
 MULTISTORIED BUILDING
 BENGALURU - 560001.
2. THE OFFICIAL LIQUIDATOR
 THE SOUTH KANARA AGRICULTURISTS
 CO-OPERATIVE MARKETING SOCIETY LTD
 & THE ASSISTANT REGISTRAR OF CO-OPERATIVE
 SOCIETIES, MANGALURU SUB-DIVISION
 MANGALURU – 575 003.
3. THE SOUTH KANARA AGRICULTURISTS
 CO-OPERATIVE MARKETING SOCIETY LTD
 MISSION ROAD, MANGALURU,
 D.K
 REPRESENTED BY ITS
 OFFICIAL LIQUIDATOR.

... RESPONDENTS

(BY SRI. C N MAHADESHWARA, AGA FOR R1; R2 & 3 SERVED)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE R-2 OFFICIAL LIQUIDATOR TO CONSIDER THE REPRESENTATIONS OF THE PETITIONERS SUBMITTED ON 27.06.2018 AS PER ANNEXURES 'C' TO 'C17' AND PAY THEM NECESSARY ALLOWANCES TO THE EXTENT OF THEIR REMAINING SERVICES IN THE R-3 CO-OPERATIVE SOCIETY.

THESE PETITIONS COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP THIS DAY, THE COURT MADE THE FOLLOWING:-

ORDER

All the petitioners being the employees of the 3rd respondent-Society now in liquidation have filed this writ petition seeking a mandamus to the 2nd respondent-Official Liquidator to consider their representations dated 27.6.2018/29.6.2018 which are serially produced at Annexures-C1 to 17 and to pay them the allowances for the loss of future services.

2. After service of notice, the 1st respondent is represented by Mr.C.N.Mahadeshwaran, learned Addl. Govt. Advocate; the 2nd respondent-Official Liquidator being personally present before the Court submits that there would be no difficulty in considering the petitioners subject representation in terms of Government Order containing priority list and in accordance with law.

Keeping the above submission on record, these writ petitions are disposed off. All other contentions of the parties are kept open.

No costs.

**Sd/-
JUDGE**

Snb/