

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF DECEMBER, 2019

BEFORE

THE HON'BLE MRS. JUSTICE S.SUJATHA

WRIT PETITION NO.53023 OF 2019 (CS EL/M)

BETWEEN:

1. Dr. C.S.Hanumanthappa,
S/o. late Sannapabasappa,
Aged 76 years,
Membership No.1182,
Karnataka Rajya Vijnana Parishat,
No.186, 14th Cross, 3rd Phase,
Girinagar,
Bengaluru – 560 085.
2. Sri.Nagesh Aralukuppa.R
S/o. P.Ramegowda,
Aged about 54 years,
Membership No.8080,
Karnataka Rajya Vijnana Parishat,
Residing at Pankajakshi Nilaya,
Aralukuppe,
Pandavapura Taluk,
Mandya District – 571 427.

... Petitioners

(By Sri. Naik N.R, Advocate)

AND:

1. State of Karnataka,
By its Secretary,
Co-operative Department,
M.S.Buildings,
Bengaluru – 560 001.

2. Karnataka Rajya Vijnana Parishat,
Vijnana Bhavana,
No.24/2, 21st Main Road,
BSK 2nd Stage,
Bengaluru – 560 070
Represented by its
Chief Returning Officer.
3. Prof. S.V.Sankanur,
President,
Aged about 58 years,
Karnataka Rajya Vijnana Parishat,
Residing at Vakil Chal,
Gadag – 582 101.
4. Sri Girish B. Kadlewad,
Secretary,
Aged about 52 years,
Karnataka Rajya Vijnana Parishat,
Residing at Karthik Heights,
F-303, Ramamandira Ring Road,
Kalburgi – 585 102.

... Respondents

(By Sri. M.V. Ramesh Jois, Advocate)

This Writ Petition is filed under Articles 226 and 227 of the Constitution of India, praying to direct the Chief Returning Officer of respondent No.2 Society, Bengaluru and Co-operative Development Officer in the office of Co-operative Societies registered office, 3rd Range, Bengaluru Urban District to correct the voter list by collecting the proper address of the members who are shown care of address shown in the members list of the R-2 Society and etc.

This Writ Petition coming on for Preliminary Hearing this day, the Court made the following:

ORDER

The petitioner has sought for a direction to the Chief Returning Officer of respondent No.2 society, Bengaluru and Co-operative Development Officer in the office of Co-operative Societies Registered Office, 3rd Range, Bengaluru Urban District to correct the voters list of the respondent No.2-Society by collecting the proper address of the members whose addresses are shown as care of address *inter alia* seeking a direction to the returning officer of the respondent No.2 society not to hold the election process in respect of respondent No.2 society, till the list of the members are corrected.

2. The petitioners claiming to be the members of the respondent No.2 society are before this Court alleging certain irregularities in the list of members prepared by the respondent No.2 society inasmuch as reflecting the address of certain members as 'care of address' not reflecting the correct addresses.

3. It is not in dispute that in terms of the notification issued by the respondent No.2, the calendar of events has been notified on 28.12.2019. On notifying the calendar of events, the petitioners are now seeking for postponement of the election of the respondent No.2 society. Merely on the allegation made that no correct address of the members have been furnished in the list of addresses of the members, at this stage, no election process can be stalled. If the petitioner is aggrieved by the irregularities in conducting the election, they are at liberty to take recourse to the alternative and efficacious statutory remedy available under law.

Accordingly, writ petition stands disposed of.

**Sd/-
JUDGE**

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