

IN THE HIGH COURT OF KARNATAKA,  
DHARWAD BENCH

DATED THIS THE 28<sup>TH</sup> DAY OF FEBRUARY, 2020

BEFORE

THE HON'BLE MR.JUSTICE S.G. PANDIT

WRIT PETITION Nos.106892-107100/2020(CS-EL/M)

**BETWEEN:**

1. Ramesh S/o Balachandra Soragavi  
Age: 38 Years, Occ: Agriculture,  
Serial No: 801
2. Girish S/o Balachandra Soragavi  
Age: 36 Years, Occ: Agriculture,  
Serial No: 140
3. Ravindra S/o Hanamappa Soragavi  
Age: 51 Years, Occ: Agriculture,  
Serial No: 179
4. Parmanand S/o Basappa Ningalur  
Age: 55 Years, Occ: Agriculture,  
Serial No: 259
5. Ningappa S/o Yamanappa B Patil  
Age: 68 Years, Occ: Agriculture,  
Serial No: 510
6. Yamanappa S/o Ningappa B Patil  
Age: 42 Years, Occ: Agriculture,  
Serial No: 511
7. Sattyawwa W/o Parmanand Ningalur  
Age: 47 Years, Occ: Agriculture,  
Serial No: 660

8. Mallappa S/o Lacchappa Rugi  
Age: 43 Years, Occ: Agriculture,  
Serial No: 726
9. Balappa S/o Balappa Ramadurga  
Age: 50 Years, Occ: Agriculture,  
Serial No: 790
10. Gurunath S/o Basayya Kayasanurmata  
Age: 45 Years, Occ: Agriculture,  
Serial No: 844
11. Uddappa S/o Adivyappa Dhoni  
Age: 48 Years, Occ: Agriculture,  
Serial No: 856
12. Siddalingeshwar S/o Paramanand Ninganur  
Age: 30 Years, Occ: Agriculture,  
Serial No: 875
13. Anand S/o Hanamappa B Patil  
Age: 30 Years, Occ: Agriculture,  
Serial No: 1045
14. Siddappa S/o Yamunappa Ittannavar  
Age: 55 Years, Occ: Agriculture,  
Serial No: 1047
15. Kasturiyavva W/o Hanamappa B Patil  
Age: 48 Years, Occ: Agriculture,  
Serial No: 1079
16. Mahadevi W/o Ramesh B Patil  
Age: 40 Years, Occ: Agriculture,  
Serial No: 1092
17. Shivalingeshwara S/o Parmanand Ninganur  
Age: 28 Years, Occ: Agriculture,

Serial No: 876

18. Venkanagouda S/o Bharamagouda Hebasur  
Age: 53 Years, Occ: Agriculture,  
Serial No: 580

19. Ningappa S/o Kadappa B Patil  
Age: 62 Years, Occ: Agriculture,  
Serial No: 384

**(Petitioners No 1 to 19 are all resident of Bidari Village  
Taluk Mudhol, District Bagalkot- 587301)**

20. Dundappagouda S/o Hanamanthgouda Patil  
Age: 38 Years, Occ: Agriculture,  
Serial No: 452

21. Hanamanth S/o Basappa Mantur  
Age: 55 Years, Occ: Agriculture,  
Serial No: 55

22. Yallavva W/o Hanamanth Bulloji  
Age: 41 Years, Occ: Agriculture,  
Serial No: 131

23. Prakash S/o Siddappa Kalamadi  
Age: 32 Years, Occ: Agriculture,  
Serial No: 148

24. Shivanand T Halli  
Age: 55 Years, Occ: Agriculture,  
Serial No: 167

25. Rachappa S/o Hanamappa Kareni  
Age: 65 Years, Occ: Agriculture,  
Serial No: 171

26. Shivagangavva W/o Basanagouda Patil  
Age: 45 Years, Occ: Agriculture,

Serial No: 174

27. Laxman S/o Govindappa Halli  
Age: 60 Years, Occ: Agriculture,  
Serial No: 212
28. Mahanthesh S/o Shankargouda Patil  
Age: 45 Years, Occ: Agriculture,  
Serial No: 233
29. Srishailgouda S/o Shankargouda Patil  
Age: 33 Years, Occ: Agriculture,  
Serial No: 234
30. Gurusiddappagouda S/o Dundappagouda Patil  
Age: 50 Years, Occ: Agriculture,  
Serial No: 311
31. Hanamanthgouda S/o Dundappagouda Patil  
Age: 65 Years, Occ: Agriculture,  
Serial No: 453
32. Gangavva W/o Girimallappa Kalmadi  
Age: 50 Years, Occ: Agriculture,  
Serial No: 601  
Prabhu S/o Siddalingappa Parandi  
Age: 38 Years, Occ: Agriculture,  
Serial No: 743
33. Kallappa S/o Siddalingappa Parandi  
Age: 41 Years, Occ: Agriculture,  
Serial No: 744

34. Rukamavva W/o Hanamanth Mantur  
Age: 46 Years, Occ: Agriculture,  
Serial No: 994
35. Mahadevi W/o Bhimappa Meti  
Age: 48 Years, Occ: Agriculture,  
Serial No: 1005
36. Kallavva W/o Mahadevappa Bulloji  
Age: 60 Years, Occ: Agriculture,  
Serial No: 1020
37. Mallavva W/o Maheshgouda Patil  
Age: 35 Years, Occ: Agriculture,  
Serial No: 1026
38. Sureshgouda S/o Sharanagouda @ Basanagouda Patil  
Age: 32 Years, Occ: Agriculture,  
Serial No: 1032  
**(Petitioners No 20 to 40 are all resident of Anthapur Village,  
Taluk: Mudhol, District: Bagalkot-587313)**
39. Shankar S/o Naglingappa Sonar  
Age: 50 Years, Occ: Agriculture,  
Serial No: 7
40. Basappa S/o Laxmappa Mantur  
Age: 56 Years, Occ: Agriculture,  
Serial No: 22

41. Shivakka W/o Jyothyappa Choudganna  
Age: 55 Years, Occ: Agriculture,  
Serial No: 36
42. Timmappa S/o Holabasappa Koraddi  
Age: 63 Years, Occ: Agriculture,  
Serial No: 59
43. Pardeep C Deshpande  
Age: 45 Years, Occ: Agriculture,  
Serial No: 64
44. Tulashappa S/o Mudakappa Bhangi  
Age: 50 Years, Occ: Agriculture,  
Serial No: 176
45. Hanamanth S/o Laxmappa Kuri  
Age: 50 Years, Occ: Agriculture,  
Serial No: 230
46. Ramesh S/o Girimallappa Koti  
Age: 40 Years, Occ: Agriculture,  
Serial No: 286
47. Siddappa S/o Ningappa Asangi  
Age: 70 Years, Occ: Agriculture,  
Serial No: 365
48. Tayavva W/o Siddappa Asangi  
Age: 64 Years, Occ: Agriculture,

Serial No: 409

49. Chandrashekar S/o Irasangappa Timmapur  
Age: 68 Years, Occ: Agriculture,  
Serial No: 335
50. Basappa S/o Gurappa Konnur  
Age: 50 Years, Occ: Agriculture,  
Serial No: 479
51. Shankrayya S/o Holabasayya Hiremath  
Age: 70 Years, Occ: Agriculture,  
Serial No: 528
52. Rekha W/o Ramanagouda Rudragoudar  
Age: 55 Years, Occ: Agriculture,  
Serial No: 538
53. Holabasappa S/o Irappa Hanchanal  
Age: 56 Years, Occ: Agriculture,  
Serial No: 608
54. Basayya S/o Mahanthayya Hiremath  
Age: 45 Years, Occ: Agriculture,  
Serial No: 616
55. Gokarayya S/o Mallayya Nandegol  
Age: 50 Years, Occ: Agriculture,  
Serial No: 704
56. Kallawwa W/o Kalappa Sutar (Badiger)  
Age: 32 Years, Occ: Agriculture,  
Serial No: 712

- 57. Sunandha W/o Ramappa Koraddi  
Age: 56 Years, Occ: Agriculture,  
Serial No: 832
- 58. Venkatesh S/o Basappa Mantur  
Age: 34 Years, Occ: Agriculture,  
Serial No: 976
- 59. Basavaraj S/o Bhimappa Bhangi  
Age: 32 Years, Occ: Agriculture,  
Serial No: 26

**(Petitioners No 41 to 61 are all resident of Vajaramatti Village,  
Taluk: Mudhol, District: Bagalkot-587313)**

- 60. Ningavva W/o Rachappa Dodamani  
Age: 72 Years, Occ: Agriculture,  
Serial No: 74
- 61. Basappa S/o Venkappa Guraddi  
Age: 70 Years, Occ: Agriculture,  
Serial No: 93
- 62. Premavva W/o Basappa Harijan  
Age: 58 Years, Occ: Agriculture,  
Serial No: 111
- 63. Lakkappa S/o Kadappa Guraddi  
Age: 38 Years, Occ: Agriculture,  
Serial No: 338
- 64. Timmappa S/o Shasappa Kubakaddi  
Age: 55 Years, Occ: Agriculture,  
Serial No: 426
- 65. Holabasappa S/o Gouravva Harijan  
Age: 43 Years, Occ: Agriculture,  
Serial No: 514



66. Krishnappa S/o Hanamappa Madar  
Age: 58 Years, Occ: Agriculture,  
Serial No: 549
67. Sadhashiva S/o Hanamappa Guraddi  
Age: 39 Years, Occ: Agriculture,  
Serial No: 842
68. Hema W/o Timmappa Kubakaddi  
Age: 45 Years, Occ: Agriculture,  
Serial No: 1025
69. Ashok S/o Nagappa Madar  
Age: 50 Years, Occ: Agriculture,  
Serial No: 918
70. Tulashappa S/o Muttappa Madar  
Age: 45 Years, Occ: Agriculture,  
Serial No: 919

**(Petitioners No 62 to 72 are all resident of Marakatti Village,  
Taluk: Mudhol, District: Bagalkot-587313)**

71. Ranganagouda S/o Ramappa Naik  
Age: 55 Years, Occ: Agriculture,  
Serial No: 150
72. Shivanagouda S/o Ramappa Naik  
Age: 60 Years, Occ: Agriculture,

Serial No: 151

73. Indravva W/o Sathyappa Baradeli  
Age: 50 Years, Occ: Agriculture,  
Serial No: 155
74. Lakkavva W/o Tulasappa Harijan  
Age: 62 Years, Occ: Agriculture,  
Serial No: 187
75. Tayawwa C Harijan  
Age: 60 Years, Occ: Agriculture,  
Serial No: 189
76. Rangappa W/o Hanamappa Bagavvagol  
Age: 60 Years, Occ: Agriculture,  
Serial No: 190
77. Duragappa S/o Giriyappa Madar  
Age: 70 Years, Occ: Agriculture,  
Serial No: 325
78. Lachappa S/o Giriyappa Harijan  
Age: 62 Years, Occ: Agriculture,  
Serial No: 345
79. Tulasappa S/o Durgappa Madar  
Age: 68 Years, Occ: Agriculture,  
Serial No: 363
80. Mallavva W/o Laxmappa Madar

Age: 30 Years, Occ: Agriculture,  
Serial No: 489

81. Yallawwa M Hadimani  
Age: 35 Years, Occ: Agriculture,  
Serial No: 606
82. Tayeavva W/o Kashyappa Hadimani  
Age: 75 Years, Occ: Agriculture,  
Serial No: 607
83. Shivawwa W/o rangappa Madar  
Age: 60 Years, Occ: Agriculture,  
Serial No: 680
84. Shailwwa W/o Kallappa Madar  
Age: 34 Years, Occ: Agriculture,  
Serial No: 904
85. Mahaningavva W/o Murgappa Madar  
Age: 36 Years, Occ: Agriculture,  
Serial No: 905
86. Paravva W/o Yamanappa Madar  
Age: 40 Years, Occ: Agriculture,  
Serial No: 906
87. Kashyavva W/o Rangappa Bagavvagol  
Age: 40 Years, Occ: Agriculture,  
Serial No: 926
88. Shantavva W/o halabasappa Koraddi

Age: 60 Years, Occ: Agriculture,  
Serial No: 63

89. Holabasayya S/o Gurusiddayya Mathapathi  
Age: 40 Years, Occ: Agriculture,  
Serial No: 361

90. Chandravva W/o hanamappa Sorgavi  
Age: 70 Years, Occ: Agriculture,  
Serial No: 400

91. Sangappa S/o Holabasappa Koraddi  
Age: 65 Years, Occ: Agriculture,  
Serial No: 455

92. Maliyappa S/o Kustnappa Kambar  
Age: 47 Years, Occ: Agriculture,  
Serial No: 519

93. Sadashiva S/o Gokarappa Navi  
Age: 70 Years, Occ: Agriculture,  
Serial No: 544

94. Prashanth S/o Basavant Paraddi  
Age: 50 Years, Occ: Agriculture,  
Serial No: 562

95. Danayya S/o Holabasayya Hiremath  
Age: 35 Years, Occ: Agriculture,  
Serial No: 565

96. Lalitha W/o Shankreppa Bagavvagol

Age: 46 Years, Occ: Agriculture,  
Serial No: 934

97. Shantavva W/o Shrishail Matapathi  
Age: 55 Years, Occ: Agriculture,  
Serial No: 611
98. Kalavva W/o Gokarayya Nandegol  
Age: 50 Years, Occ: Agriculture,  
Serial No: 610
99. Krishnappa S/o Venkappa Koraddi  
Age: 60 Years, Occ: Agriculture,  
Serial No: 623
100. Basanagouda S/o Shivanagouda Patil  
Age: 25 Years, Occ: Agriculture,  
Serial No: 632
101. Adivyappa S/o Laxmappa Kuri  
Age: 55 Years, Occ: Agriculture,  
Serial No: 685
102. Suresh S/o Vittal Pujari  
Age: 50 Years, Occ: Agriculture,  
Serial No: 708
103. Somappa S/o Ayyappa Bingi  
Age: 48 Years, Occ: Agriculture,  
Serial No: 723
104. Irrayya S/o Malkayya Matapathi

Age: 70 Years, Occ: Agriculture,  
Serial No: 768

105. Shivappa S/o Siddappa Choudganna  
Age: 55 Years, Occ: Agriculture,  
Serial No: 781
106. Basappa S/o Mallappa Kagalgomba  
Age: 52 Years, Occ: Agriculture,  
Serial No: 817
107. Mahananda S/o Kannayya Mathapathi  
Age: 60 Years, Occ: Agriculture,  
Serial No: 820
108. Shaila W/o Danayya Hiremath  
Age: 40 Years, Occ: Agriculture,  
Serial No: 827
109. Shivappa S/o Yallappa Choudganna  
Age: 70 Years, Occ: Agriculture,  
Serial No: 857
110. Ashok S/o Maruit Bhajantri  
Age: 50 Years, Occ: Agriculture,  
Serial No: 862
111. Nagappa S/o Karyappa Lokapur  
Age: 48 Years, Occ: Agriculture,  
Serial No: 886

112. Devendra S/o Adivappa Badiger  
Age: 40 Years, Occ: Agriculture,  
Serial No: 899

113. Mounesh S/o Hanumanth Badiger  
Age: 35 Years, Occ: Agriculture,  
Serial No: 900

114. Narayana S/o Adivappa Badiger  
Age: 40 Years, Occ: Agriculture,  
Serial No: 901

**(Petitioners No 73 to 116 all are resident of Vajjarmatti  
Village, Taluk: Mudhol, District: Bagalkot- 587313)**

115. Sidramappa S/o Siddappa Naragund  
Age: 44 Years, Occ: Agriculture,  
Serial No: 128

116. Siddappa S/o Bhimappa B Patil  
Age: 48 Years, Occ: Agriculture,  
Serial No: 238

117. Ramesh S/o Lachappa Rugi  
Age: 47 Years, Occ: Agriculture,  
Serial No: 256

118. Siddappa S/o Hanamappa Rugi  
Age: 39 Years, Occ: Agriculture,  
Serial No: 444

119. Hanamanth S/o Chandrappa Rugi

Age: 64 Years, Occ: Agriculture,  
Serial No: 445

120. Siddappa S/o Somappa B Patil  
Age: 50 Years, Occ: Agriculture,  
Serial No: 466

121. Chandrappa S/o Lachappa Rugi  
Age: 45 Years, Occ: Agriculture,  
Serial No: 469

122. Kamalavva W/o Ningappa Rugi  
Age: 62 Years, Occ: Agriculture,  
Serial No: 541

123. Vittal S/o Sidramappa Rugi  
Age: 28 Years, Occ: Agriculture,  
Serial No: 586

124. Siddappa S/o Yallappa Rugi  
Age: 74 Years, Occ: Agriculture,  
Serial No: 587

125. Yallappa S/o Siddappa Rugi  
Age: 46 Years, Occ: Agriculture,  
Serial No: 588

126. Vittal S/o Chinappa Rugi  
Age: 34 Years, Occ: Agriculture,  
Serial No: 641



127. Basavaraj S./o Hanamappa Rugi  
Age: 34 Years, Occ: Agriculture,  
Serial No: 705
128. Geeta W/o Chandrappa Rugi  
Age: 35 Years, Occ: Agriculture,  
Serial No: 815
129. Laxmi W/o Mallappa Rugi  
Age: 31 Years, Occ: Agriculture,  
Serial No: 816
130. Basavaraj S/o Hanamappa Ghani  
Age: 34 Years, Occ: Agriculture,  
Serial No: 1046
131. Siddappa S/o Shivappa Yadalli  
Age: 39 Years, Occ: Agriculture,  
Serial No: 508
132. Rangappa S/o Rayappa B Patil  
Age: 71 Years, Occ: Agriculture,  
Serial No: 634
133. Siddappa S/o Amatyappa B Patil  
Age: 50 Years, Occ: Agriculture,  
Serial No: 246
134. Rangappa S/o Bhimappa B Patil  
Age: 58 Years, Occ: Agriculture,

Serial No: 248

135. Yallavva W/o Basappa Chikkannavar

Age: 48 Years, Occ: Agriculture,

Serial No: 441

**(Petitioners No 116 to 137 all are resident of Bidari Village,  
Taluk: Mudhol, District: Bagalkot)**

136. Kamalavva W/o Timmappa B Patil

Age: 45 Years, Occ: Agriculture,

Serial No: 30

137. Hanamanth S/o Ramappa Harijan

Age: 50 Years, Occ: Agriculture,

Serial No: 33

138. Sathyappa S/o Hanamappa Konnur

Age: 57 Years, Occ: Agriculture,

Serial No: 39

139. Ramappa S/o Rangappa Horatti

Age: 48 Years, Occ: Agriculture,

Serial No: 52

140. Shantavva W/o Laxmappa Naik

Age: 50 Years, Occ: Agriculture,

Serial No: 91

141. Girimallappa S/o Venkappa B Patil

Age: 35 Years, Occ: Agriculture,

Serial No: 119

142. Bhimappa S/o Timappa Suramanji  
Age: 40 Years, Occ: Agriculture,  
Serial No: 144
143. Rangappa S/o Holabasappa Suramanji  
Age: 40 Years, Occ: Agriculture,  
Serial No: 231
144. Sajhanand S/o Girimallappa B Patil  
Age: 40 Years, Occ: Agriculture,  
Serial No: 290
145. Shivalingavva W/o Shankreppa Asuti  
Age: 48 Years, Occ: Agriculture,  
Serial No: 293
146. Subash S/o Shivanagouda Patil  
Age: 38 Years, Occ: Agriculture,  
Serial No: 298
147. Sadhashiv S/o Ramappa Naik  
Age: 38 Years, Occ: Agriculture,  
Serial No: 323
148. Rangappa S/o Hanamappa Naik  
Age: 65 Years, Occ: Agriculture,  
Serial No: 348
149. Mallappa S/o Basappa Busannavar  
Age: 55 Years, Occ: Agriculture,

Serial No: 397

150. Ningappa S/o Basappa Busannavar

Age: 50 Years, Occ: Agriculture,

Serial No: 398

151. Venkanna S/o Holabasappa Suramanji ( Marakattia)

Age: 48 Years, Occ: Agriculture,

Serial No: 431

152. Shekhar S/o Basappa Suramanji

Age: 40 Years, Occ: Agriculture,

Serial No: 470

153. Ashok S/o Hanamappa Melligeri

Age: 50 Years, Occ: Agriculture,

Serial No: 481

154. Ashok S/o Basappa Suramanji

Age: 48 Years, Occ: Agriculture,

Serial No: 493

155. Renuka S/o Sadhashiv Madar

Age: 35 Years, Occ: Agriculture,

Serial No: 532

156. Holabasappa S/o Bhimappa Suramanji

Age: 40 Years, Occ: Agriculture,

Serial No: 537

157. Holabasappa S/o Hanamappa Gulgajambagi

Age: 42 Years, Occ: Agriculture,  
Serial No: 566

158. Renavva W/o Sadashiva Gulgajambagi  
Age: 42 Years, Occ: Agriculture,  
Serial No: 571

159. Renuka H Madar  
Age: 45 Years, Occ: Agriculture,  
Serial No: 589

160. Rangappa S/o Hanamappa B Patil  
Age: 60 Years, Occ: Agriculture,  
Serial No: 604

161. Ramappa S/o Holyappa Madar  
Age: 52 Years, Occ: Agriculture,  
Serial No: 618

162. Chandravva W/o Kariyappa Sankavvagol  
Age: 55 Years, Occ: Agriculture,  
Serial No: 626

163. Kariyappa S/o Bagavva Sankavvagol  
Age: 60 Years, Occ: Agriculture,  
Serial No: 627

164. Kariyavva W/o Kariyappa Sankavvagol  
Age: 58 Years, Occ: Agriculture,  
Serial No: 628

165. Manjula D/o Kariyappa Sankavvagol  
Age: 45 Years, Occ: Agriculture,  
Serial No: 629
166. Hanamanth S/o Vittal Naik  
Age: 40 Years, Occ: Agriculture,  
Serial No: 636
167. Sadhashiv S/o Ramappa B Patil  
Age: 40 Years, Occ: Agriculture,  
Serial No: 722
168. Sadhashiv H B Patil  
Age: 60 Years, Occ: Agriculture,  
Serial No: 729
169. Yamanappa S/o Basappa Busannavar  
Age: 62 Years, Occ: Agriculture,  
Serial No: 734
170. Rukamavva W/o Konappa Madar  
Age: 42 Years, Occ: Agriculture,  
Serial No: 740
171. Holabasappa S/o Rangappa Masaraddi  
Age: 65 Years, Occ: Agriculture,  
Serial No: 741
172. Renuka W/o Durgappa Madar

Age: 45 Years, Occ: Agriculture,  
Serial No: 772

173. Bhimappa S/o Yamanappa Kulageri  
Age: 60 Years, Occ: Agriculture,  
Serial No: 754

174. Girimallappa S/o Mallappa Busannavar  
Age: 38 Years, Occ: Agriculture,  
Serial No: 805

175. Pandappa S/o Balappa Madar  
Age: 50 Years, Occ: Agriculture,  
Serial No: 834

176. Tulasappa S/o Bhimappa B Patil  
Age: 65 Years, Occ: Agriculture,  
Serial No: 866

177. Shrikant S/o Girimalappa Patil  
Age: 52 Years, Occ: Agriculture,  
Serial No: 877

178. Hanamanth S/o Girimalappa Patil  
Age: 54 Years, Occ: Agriculture,  
Serial No: 950

179. Kamalavva W/o Hanamappa Asuti  
Age: 50 Years, Occ: Agriculture,  
Serial No: 955

180. Dyavappa S/o Basappa Madar  
Age: 40 Years, Occ: Agriculture,  
Serial No: 982

181. Geeta W/o Venkanna Suramanji  
Age: 41 Years, Occ: Agriculture,  
Serial No: 1036

182. Sadashiva S/o Kallappa Naik  
Age: 40 Years, Occ: Agriculture,  
Serial No: 1051

183. Irrappa S/o Rangappa Kallapur  
Age: 45 Years, Occ: Agriculture,  
Serial No: 1070

**(Petitioners No 138 to 185 are all resident of Markatti Village,  
Taluk Mudhiol, Dist; Bagalkot 587313)**

184. Bagavva W/o Mallappa Jiddimani  
Age: 45 Years, Occ: Agriculture,  
Serial No: 206

185. Kasturiyavva W/o Siddappa Parandi  
Age: 55 Years, Occ: Agriculture,  
Serial No: 273

186. Siddappa S/o Vartyappa Parandi  
Age: 60 Years, Occ: Agriculture,  
Serial No: 274

187. Basayya S/o Shivayya Mathapathi  
Age: 28 Years, Occ: Agriculture,  
Serial No: 276

188. Solabayya S/o Mahalingayya Mathapathi  
Age: 70 Years, Occ: Agriculture,  
Serial No: 342

189. Chanappagouda S/o Dundappa Patil  
Age: 60 Years, Occ: Agriculture,



- Serial No: 390
190. Siddalingappa S/o Varthyappa Parandi  
Age: 65 Years, Occ: Agriculture,  
Serial No: 554
  191. Krishnappa S/o Rangappa Badiger  
Age: 75 Years, Occ: Agriculture,  
Serial No: 463
  192. Ishwarayya S/o Irayya Mathapathi  
Age: 50 Years, Occ: Agriculture,  
Serial No: 465
  193. Krishnavva W/o Timmappa Mantur  
Age: 70 Years, Occ: Agriculture,  
Serial No: 524
  194. Danayya S/o Shadakshariyya Panchikattimath  
Age: 40 Years, Occ: Agriculture,  
Serial No: 557
  195. Iravva W/o Gangayya Mathapathi  
Age: 35 Years, Occ: Agriculture,  
Serial No: 597
  196. Savithri W/o Ramayya Panchikattimath  
Age: 55 Years, Occ: Agriculture,  
Serial No: 612
  197. Kadappa S/o Hanamanth Kotikal @ Bilagi  
Age: 28 Years, Occ: Agriculture,  
Serial No: 625
  198. Sadayya S/o Mallayya Mathapathi  
Age: 55 Years, Occ: Agriculture,  
Serial No: 697
  199. Parasappa S/o Hanamappa Dalawai  
Age: 40 Years, Occ: Agriculture,  
Serial No: 707
  200. Kiran S/o Ramayya Panchikattimath  
Age: 30 Years, Occ: Agriculture,  
Serial No: 711
  201. Chanappa S/o Holyappa Jiddimani  
Age: 60 Years, Occ: Agriculture,

Serial No: 756

202. Laxmappa S/o Holyappa Jiddimani

Age: 60 Years, Occ: Agriculture,

Serial No: 757

203. Nethaji S/o Mallappagouda Patil

Age: 50 Years, Occ: Agriculture,

Serial No: 765

204. Holabasappa S/o Hanamanth Hosakoti

Age: 50 Years, Occ: Agriculture,

Serial No: 954

205. Rukamavva W/o Yallappa Bilagi

Age: 50 Years, Occ: Agriculture,

Serial No: 956

206. Pandappa S/o Dundappa Mantur

Age: 20 Years, Occ: Agriculture,

Serial No: 1030

207. Hanamavva W/o Shivalingappa Kalamadi

Age: 50 Years, Occ: Agriculture,

Serial No: 1035

209. Yallavva W/o Kariyappa Bujaga

Age: 45 Years, Occ: Agriculture,

Serial No: 1061

**(Petitioners No 186 to 210 are all resident of Antapur Village,  
Taluk Mudhol, Dist; Bagalkot)**

...PETITIONERS

(BY SRI. SRINIVAS B NAIK & SRI. SAIKIRAN B NAIK, ADVS.

**AND**

1. The Registrar of Co-operative Societies,  
Government of Karnataka No 1,  
Ali Askar Road, Bengaluru-560052
2. District Election Officer and Deputy Registrar  
Of Co-operative Societies,  
Zilla Bahavn Building, Bagalkot  
Dist: Bagalkot-587101
3. V B Kaladagi

The Returning Officer  
 Primary Agricultural Credit Co-operative  
 Society Ltd, Vajjarmatti Village,  
 and Assistant Teacher HPS Junnur,  
 Taluk Mudhol, Dist: Bagalkot 587113

4. Primary Agricultural Credit Co-operative  
 Society Ltd., Vajjarmatti Village,  
 Taluk: Mudhol, Dist: Bagalkot 587113  
 Represented by its Secretary

... Respondents

(BY SRI. V.S. KALASURMATH, HCGP FOR R1)  
 (SRI. HEMANTHKUMAR L HAVARAGI, ADV. FOR R2 & R3)  
 (R4-SERVED)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF APPROPRIATE NATURE TO DECLARE THAT SECTION 20(2)[A-IV] THE KARNATAKA CO-OPERATIVE SOCIETIES ACT IS ULTRA VIRUS AND LEGISLATIVE COMPETENCE AND ARTICLE 243ZI AN 243ZO OF THE CONSTITUTION OF INDIA, IN THE INTEREST OF JUSTICE AND EQUITY. ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENTS TO CONDUCT THE ELECTIONS TO THE COMMITTEE OF MANAGEMENT OF THE 4<sup>TH</sup> RESPONDENT SOCIETY FOR THE TERMS 2020-21 TO 2024-25 SCHEDULED TO BE HELD ON 12/01/2020 AS PER **ANNEXURE- A** WITHOUT APPLYING SECTION 20(2)(A-IV) (A-V) OF THE ACT AND PERMIT THE PETITIONERS TO TAKE PART IN THE ELECTION PROCESS INCLUDING TO CAST THEIR RESPECTIVE VOTES IN THE INTEREST OF JUSTICE AND EQUITY.

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

**ORDER**

In these writ petitions, the petitioners have challenged the validity of Section 20(2)(a-iv) and (a-v) of the Karnataka Co-operative Societies Act, 1959 (for short, 'the Act') as ultra vires and also violative of Articles 243ZI and 243ZO of the Constitution of India and for a writ of mandamus directing the respondents to permit the petitioners to participate in the election without applying the provision of Section 20(2)(a-iv) and (a-v) of the Act.

2. This Court by interim order dated 10.1.2020 permitted the petitioners to vote in the election of the respondent-Society without reference to Section 20(2)(a-iv) and (a-v) of the Act, if they are otherwise eligible to cast their votes, subject to the result of these writ petitions.

3. Learned counsel appearing for the petitioners submits that the petitioners voted in the election in pursuance to interim direction of this Court.

Learned counsel for the petitioners submits that the petitioners are not pressing the prayer challenging the constitutional validity of Section 20(2)(a-iv) and (a-v) of the Act and that the writ petitions could be disposed of on the ground that the respondent-Society could not have applied the provision of Section 20(2)(a-iv) and (a-v) of the Act to the petitioners or to delete the petitioners' name from the eligible voters' list. It is also contended that the petitioners have not received the notice of Annual General Body Meeting as required under Rule 14-AJ of the Karnataka Co-operative Societies Rules, 1960 (for short, 'Rules, 1960'). Rule 14-AJ(2) of the Rules 1960 reads as follows:

14-AJ(2).- The Chief Executive, after the board decides the date and time of the general meeting to be convened, shall convene the annual general meeting by giving a notice of at least fifteen clear days as specified in the bye-laws. However, in the case of exigency, a special general meeting may be convened by giving a notice of at least ten clear

days in writing. The notice may be sent in the following modes, namely.-

(a) by ordinary post; or [by bulk post; or by courier]

(b) by e-mail; or

(c) by local delivery under proper acknowledgement; and

(d) by publication in the newspaper having wide circulation in the area of operation.

4. The above Rule contemplates, giving of 15 days clear notice of annual general meeting and same shall be sent by the modes mentioned therein including ordinary post. The respondent-Society even though served with Court notice has remained unrepresented. The Society has not come forward to deny or controvert the contention of the petitioners that they have not been served with the notice of annual general meeting of the respondent-Society. If the petitioners were not served with the notice of the annual general meeting of the Society as required under Rule 14-AJ of the Rules 1960, one cannot expect the petitioners to attend the annual

general meeting of the Society. Hence, only on the ground that the petitioners have not attended three consecutive annual general meeting, the respondent-Society could not have deleted the names of the petitioners from the eligible voters' list as they have not been served with notice of annual general meeting. Prima facie, principles of natural justice not having been followed, I hold that the petitioners could not have been deleted from the eligible voters' list on the ground that they have not attended three consecutive annual general meeting of the respondent-Society in the absence of service of notice of the annual general meeting of the Society. Presently, as the petitioners have exercised their franchise in the election held to the Society in pursuance to the interim order and the petitioners have not pressed the prayer-A with regard to validity of Section 20(2)(a-iv) and (a-v) of the Act, the writ petitions would no more survive for consideration. In the peculiar facts and circumstances of the present

case, the writ petitions are disposed as above without examining the validity of the above stated provision.

**Sd/-  
JUDGE**

JTR