



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 28<sup>TH</sup> DAY OF FEBRUARY, 2023**

**BEFORE**

**THE HON'BLE MR JUSTICE M.NAGAPRASANNA**

**WRIT PETITION NO.4722 OF 2023 (GM-R/C)**

**BETWEEN:**

B.G.LINGESH  
S/O BASAVARAJAPPA G.,  
AGED ABOUT 45 YEARS,  
R/AT NO.9/71,  
OCC: ARCHAKA,  
BEERALINGESHWARA TEMPLE,  
P.B. ROAD, P.J. EXTENSION,  
BESIDE BEERALINGESHWARA TEMPLE,  
DAVANAGERE – 577 002.

...PETITIONER

(BY SRI. HANUMANTHAPPA B. HARAVIGOUDAR, ADVOCATE)

**AND:**

1. THE CHIEF SECRETARY  
GOVERNMENT OF KARNATAKA,  
OFFICE OF SECRETARIAT,  
VIDHANA SOUDHA,  
BENGALURU – 560 001.
2. THE PRINCIPAL SECRETARY  
DEPARTMENT OF RELIGIOUS,  
INSTITUTION AND  
CHARITABLE ENDOWMENTS (MUJARAI),  
VIKASA SOUDHA,  
BENGALURU – 560 001.



3. THE DEPUTY COMMISSIONER  
DAVANAGERE DISTRICT,  
DAVANAGERE – 577 004.
4. THE ASSISTANT COMMISSIONER  
DAVANAGERE SUB-DIVISION,  
DAVANAGERE – 577 004.
5. THE TAHASILDAR  
AND MUZARAI OFFICER,  
DAVANAGERE TALUK,  
DAVANAGERE DISTRICT – 577 004.
6. THE COMMISSIONER  
FOR KARNATAKA HINDU  
RELIGIOUS INSTITUTIONS AND  
CHARITABLE ENDOWMENT,  
CHAMARAJAPETE,  
BENGALURU – 560 027.

...RESPONDENTS

(BY SRI.B.V.KRISHNA, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE R-3 SHALL CONSIDER THE REPRESENTATION DTD 05/12/2022 VIDE ANNEXURE-U WITH IMMEDIATE EFFECT.

THIS WRIT PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:

**ORDER**

The petitioner is before this Court seeking a direction to respondent No.3 by issuance of a writ in the nature of *mandamus* to consider his representation dated 05.12.2022 and restore him to his original position of Archak, by handing



over the keys of the Beeralingeshwara Temple, Davanagere City ('the temple' for short).

2. Heard Sri Hanumanthappa B. Haravigowdar, learned counsel for petitioner and Sri B.V.Krishna, learned Additional Government Advocate for the respondents.

3. Facts in brief are as follows:

The petitioner was earlier working as Archak in the Temple, having been appointed in the year 2005-06. It transpires that during his tenure, certain allegations are made against him on certain omissions and commissions and he was proceeded with a departmental enquiry. After the enquiry, on the score that the allegations were established against the petitioner, he was removed from the post of Archak of the temple.

4. The petitioner aggrieved by the said order, preferred an appeal before the Appellate Authority, who sets aside the order passed by the competent Authority removing the petitioner from service. The order comes about on 25.03.2022. Despite the said order being passed by the Appellate Authority, the petitioner is not been restored to his original position of



Archak in the said temple. It is therefore, the petitioner has knocked at the doors of this Court, seeking a direction to consider his representation dated 05.12.2022.

5. Learned Additional Government Advocate would submit that if reasonable time is granted, the representation of the petitioner would be considered and appropriate orders / actions would be taken on such representation.

6. The submission is placed on record. Respondent Nos.3 and 4 are directed to consider the representation submitted by the petitioner on 05.12.2022, and take necessary steps in accordance with law, within four weeks from the date of receipt of a copy of the order.

7. With the aforesaid direction, the writ petition stands disposed.

**Sd/-  
JUDGE**

NVJ  
List No.: 1 Sl No.: 74