



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO. 25784 OF 2022 (GM-PDS)

BETWEEN:

SMT GEETHA M,
AGED ABOUT 57 YEARS,
W/O KASHINATH S V, SECRETARY,
SRI MATHA MAHILA MULTIPURPOSE
CO-OPERATIVE SOCIETY LIMITED,
FPD NO.45 , RIPPONMPET,
OLD SANTHE MARKET,
HOSANAGARA TALUK,
SHIMOGA DISTRICT.

...PETITIONER

(BY SRI KESHAVA CHANDRA S P, ADVOCATE FOR
SRI SHIVARAMU H C.,ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER,
SHIMOGA DISTRICT, SHIMOGA - 577201.
2. THE JOINT DIRECTOR OF
FOOD AND CIVIL SUPPLIES,
SHIMOGA DISTRICT, SHIMOGA - 577201.
3. THE THASILDAR,
HOSANAGARA TALUK,
HOSANAGARA, SHIMOGA DISTRICT - 577201.
4. THE FOOD INSPECTOR,
HOSANAGARA TALUK,
HOSANAGARA, SHIMOGA DISTRICT - 577201.

...RESPONDENTS

(BY SRI MAHANTESH SHETTAR, AGA)



THIS WRIT PETITION IS FILED UNDER ARTTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 12.12.2022 PASSED BY THE R1 IN HIS ORDER NO. RPR (APPEAL) CR/02/2022-23 AT ANNEXURE-B. QUASH THE IMPUGNED ORDER DATED 28.03.2022 PASSED BY THE R2 IN NO. FSD/FPS/CR/46/2021-22 AT ANNEXURE-A.

THIS PETITION, COMING ON FOR ORDERS THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

1. Heard Sri. Keshava Chandra S.P., learned counsel appearing on behalf of Sri. Shivaramu H.C., learned counsel for petitioner and Sri. Mahantesh Shettar, learned Additional Government Advocate for respondents.

2. In this writ petition, the petitioner is assailing the order dated 12.12.2022 passed by the respondent No. 1 in Order No.RPR(Appeal) CR/02/2022-23 (Annexure-B) and Order dated 28.03.2022 passed by the respondent No.2 in No.FSD/FPS/CR/46/2021-22 (Annexure-A).

3. Having taken note of the submissions made by learned counsels appearing for the respective parties, the respondent No. 2, based on the complaint made against the petitioner, has suspended the P.D.S authorization made in



favor of the petitioner in terms of the provisions contained in Karnataka Essential Commodities (Public Distribution System) Control Order, 2016. Thereafter, the petitioner has approached respondent No.1 challenging the order of suspension passed by respondent No.2. The respondent No.1 without considering the factual aspects on record and the jurisdiction, interfered with the order passed by respondent No.2 as per Annexure-A and cancelled the P.D.S authorization made in favor of the petitioner in which the respondent No.1 has no jurisdiction under the aforementioned Act. In that view of the matter, I find force in the submission made by the learned counsel appearing for the petitioner that, respondent No.1 has committed an error in interfering with the order passed by respondent No. 2 at Annexure-A to the writ petition.

4. However, taking into consideration the submission made at Bar, the writ petition requires to be allowed. In the result, I pass the following:



ORDER

- i. The writ petition is ***allowed***.
- ii. The order dated 12.12.2022 passed by the respondent No.1 in Order No.RPR(Appeal) CR/02/2022-23 (Annexure-B) and Order dated 28.03.2022 passed by the respondent No.2 in No.FSD/FPS/CR/46/2021-22 (Annexure-A), is hereby, set aside and the matter is remitted back to the respondent No.2 to rehear the matter afresh after affording opportunity of hearing to the petitioner and pass appropriate orders in accordance with law.
- iii. Interim order granted by this Court shall enured to the benefit of the petitioner till the conclusion of the proceedings before the respondent No.2.
- iv. In view of disposal of main petition all the pending I.A's stands disposed of.

**Sd/-
(E.S.INDIRESH)
JUDGE**