



CNR: KAHC010002272019

NC: 2026:KHC:42901
WP No. 109 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 109 OF 2019 (S-RES)

BETWEEN:

SRI. P. GOVINDARAJU
S/O LATE SRI. POOJAPPA
AGED ABOUT 52 YEARS
OPTIONAL KANNADA LECTURER
SRI KONGADIYAPPA PRE-UNIVERSITY COLLEGE
DODABALLAPURA - 561 203,
BANGALORE RURAL DISTRICT.

...PETITIONER

(BY MS. JYOTHI B. KANGOKAR, ADVOCATE)

AND:

Digitally
signed by
SHILPABAI S
Location:
HIGH
COURT OF
KARNATAKA

1. THE PRINCIPAL SECRETARY
TO GOVERNMENT OF KARNATAKA,
PRIMARY AND SECONDARY EDUCATION
DEPARTMENT, M.S. BUILDING
BENGALURU.
2. DIRECTOR /DEPUTY DIRECTOR
DEPARTMENT OF PRE-UNIVERSITY EDUCATION
18TH CROSS, MALLESHWARAM
BENGALURU - 560 012.
3. SRI. KONGADIYAPPA PRE-UNIVERSITY COLLEGE
DODDABALLAPURA - 561 203,
BANGALORE RURAL DISTRICT.



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4. JOINT SECRETARY
DEPARTMENT OF PRIMARY AND
SECONDARY EDUCATION,
MULTI-STOREYED BUILDING,
BENGALURU - 560 001.

...RESPONDENTS

(BY SRI. G. RAMESH NAIK, AGA FOR R1, R2 AND R4;
R3 - SERVED)

THIS W.P. IS FILED ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO-QUASH THE IMPUGNED
ORDER DTD 30.11.18 IN R.P.NO.6/18 (ED 28DGW 2018)
PASSED BY THE R-1 VIDE ANNEX-S AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING
IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS
UNDER:

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

The petitioner filed this writ petition seeking following
reliefs:

*WHEREFORE, it is humbly prayed this Hon'ble Court be
pleased to grant the following reliefs;*

*a) Issue a writ of certiorari or any other appropriate
writ or order quashing the impugned order dated
30.11.2018 in Revision Petition No.06/2018 (ED
28DGW 2018) passed by the Respondent no.1 at
Annexure-"S".*



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b) Issue a writ of mandamus directing the Respondents to approve the Petitioner's appointment with grant and release the salary with grant from 12.12.1994 along with consequential benefits as it was extended to the other lecturers in the other Government Aided Private Institutions who's appointments were similar to that of the Petitioner and who's appointments were considered for grant by the Respondents no.1, 2 and 4 from the date the optional kannada subject become eligible for aid after completion of seven years in respective Private Aided PU Colleges.

c) Pass/grant such other order or orders or reliefs as this Honourable Authority may deem it proper in the circumstances of this case including the costs of these proceedings, in the interest of justice."

2. The brief facts leading to the filing of this petition are as follows:

The petitioner was appointed in 1993. The petitioner's post was first post and backlog post. Since his appointment, the economic measure was not applicable to the Schedule Castes and Schedule Tribe candidates. The petitioner's post ought to have been considered for the grant in aid and release of salary from 12.12.1994 and the case of the petitioner falls along with the cases of four other similarly placed lecturers, who were considered by the respondent No.1. The respondent



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ought to have considered the optional Kannada subject started in respondent No.3-college for the academic year 1987-1988. The petitioner was appointed when the subject was nearly completing seven years. The Department of Pre-University Education released the salary for the lecturer in optional Kannada seven years after the start of the subject in all other cases and the petitioner was eligible for the said post. The petitioner's post was approved as a first post and backlog post in the Schedule Castes and Schedule Tribes category. The petitioner's requisition for consideration for grant in aid was rejected vide order dated 12.12.1994, stating the reason of economic measures and since then the petitioner has been fighting for his rights, justifying to the respondents that the economic measure is not applicable to the scheduled caste categories and he should be considered for the release of salary with aid since 12.12.1994. The said requisition was rejected by the respondents. The respondents, aggrieved by the same, preferred a revision petition before respondent No.1. Respondent No.1 vide order dated 30.11.2018, rejected the revision petition. Hence, this writ petition.



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3. Heard the learned counsel for the petitioner and learned Additional Advocate General.

4. Learned counsel for the petitioner submitted that the respondent No.1 rejected the revision petition on the ground that the writ appeal in W.A.No.2476/2015 is pending for consideration. As the proceedings in W.A.No.2476/2015 remained stayed, the matter is sub judice; hence, she submits that the Division Bench has disposed of the writ appeal vide judgment dated 24.07.2026. Hence, she prays to set aside the order passed by respondent No.1. Accordingly prays to allow the writ petition.

5. Per contra, learned Additional Advocate General submits that the writ appeal was disposed of vide judgment dated 24.07.2026. Hence, prays to dispose of the writ petition.

6. Perused the records and considered the submissions of the learned counsel for the parties. The petitioner is aggrieved by the order dated 12.12.1994 wherein the petitioner's request for release of salary with grant from 12.12.1994 was rejected and the petitioner preferred a revision petition before



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respondent No.1. Respondent No.1 has dismissed the revision petition on the ground that the proceedings have been stayed in W.A.No.2476/2015. The petitioner has produced the copy of the judgment passed in W.A.No.2476/2015 and connected matters. The division bench has dismissed the writ petitions filed by the state and the order passed by the learned Single Judge in W.P.No.21216/2014 and connected matters are confirmed.

7. It is an undisputed fact that the petitioner filed a revision petition before respondent No.1 and respondent No.1 has dismissed the revision petition only on the ground that there is an interim order in W.A.No.2476/2015. The petitioner has produced the copy of the order passed in writ appeal wherein the Division Bench has dismissed the writ appeals vide judgment dated 24.07.2026. In view of the disposal of W.A.No.2476/2015, the impugned order is liable to be quashed, as the matter requires reconsideration by respondent No.1. Without going into the merits of the case, this Court, merely based on the judgment passed by the Division Bench in W.A.No.2476/2015, is of the view that the matter requires



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consideration by respondent No.1 on merits. In view of the same, I proceed to pass the following:

ORDER

- i. The writ petition is **allowed**.
- ii. The impugned order dated 30.11.2018 in Revision Petition No.6/2018 passed by respondent No.1, vide Annexure-S is hereby quashed.
- iii. The revision petition is restored to its original file.
- iv. Respondent No.1 is directed to dispose of the revision petition within one month from the date of receipt of copy of this order.
- v. All the contentions of the petitioner are kept open.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**