



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

**DATED THIS THE 7<sup>TH</sup> DAY OF JANUARY, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD**

**WRIT PETITION NO. 70 OF 2026 (S-RES)**

**BETWEEN:**

SRI MANJUNATH D  
S/O LATE DIVAKAR  
AGED ABOUT 37 YEARS.  
R/O NO. A54/A, OFFICIAL COLONY  
K R SAGAR, SRIRANGAPATTANA TALUK  
HONGAHALLI KRISHNARAJA SAGAR  
MANDYA, KARNATAKA 571 607

...PETITIONER

(BY SMT, NIREEKSHA D.J., ADVOCATE FOR  
SRI. SHOWRI H R., ADVOCATE)

**AND:**

1. THE STATE OF KARNATAKA  
DEPARTMENT OF TOURISM  
REP. BY ITS PRINCIPLE SECRETARY  
VIKAS SOUDHA, BENGALURU 560 001.

2. KARNATAKA STATE TOURISM  
DEVELOPMENT CORPORATION  
EXECUTIVE OFFICE, GROUND FLOOR  
YESHWANTHPUR TTMC, B.M.T.C BUS STAND  
YESHWANTPUR CIRCLE, BENGALURU 560 022  
REP. BY CHIEF EXECUTIVE(ADMINISTRATION)

...RESPONDENTS

(BY SRI. SPOORTHY HEGDE, HCGP FOR R-1)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF  
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE  
IMPUGNED ENDORSEMENT BEARING NO.KARAPRAANI/  
ADALITHA/ 108/2021-22/2633 DATED: 28.03.2022 ISSUED BY  
THE R-2 AT ANNEXURE-A AND ETC.

Digitally signed by  
HEMALATHA A  
Location: HIGH  
COURT OF  
KARNATAKA



THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:  
CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

**ORAL ORDER**

1. In this writ petition, the petitioner has called in question the endorsement dated 28/31.03.2022 issued by the respondent No.2 (Annexure-A) whereby the application filed by the petitioner for appointment on compassionate ground came to be rejected on the ground that it was filed beyond the prescribed period of one year from the date of death of the Government servant.

2. Brief facts of the case are that the petitioner's father, Late Sri Divakara, was appointed as Moto Boat Driver at Krishna Raj Sagar on 22.01.1981. He died on 27.02.2010 while he was in service, leaving behind his wife, Smt.Saradamma, daughter Ms.Suchithra and petitioner herein as his legal heirs. The petitioner submitted an application on 18.05.2011 seeking



appointment on compassionate ground. Copy of application is produced as Annexure-D. As no action was taken by respondent No.2 on the said application, petitioner's mother submitted another application dated 03.03.2022 (Annexure-G) requesting that compassionate appointment be granted to the petitioner. By impugned endorsement, the request of the petitioner has been rejected on the ground that the application is filed beyond limitation period of one year. Aggrieved by the same, the petitioner is before this Court.

3. Learned counsel appearing for the petitioner has submitted that although petitioner has filed an application on 18.05.2011 seeking appointment on compassion ground, the respondent No.2 has not taken any action thereon. The impugned endorsement has been issued on the basis of the subsequent application dated 03.03.2022 filed by the mother of



the petitioner. It is contended that since no action has been taken on the previous application dated 18.05.2011 filed by the petitioner, the respondent No.2 is estopped from rejecting the application of the petitioner. In support of her contention, she has relied upon the Division Bench decision of this Court passed in W.P.No.202187/2023 disposed of on 25.07.2025. Accordingly, she sought for allowing the writ petition.

4. Learned HCGP appearing for respondent No.1 has submitted that as per Rule 5 of the Karnataka Civil Services (Appointment on Compassionate Grounds) Rules, 1996 (for short 'the Rules'), an application seeking appointment on compassionate ground has to be filed within one year from the date of death of the government servant. Since the application of the petitioner was filed beyond the said period, respondent No.2 was justified in rejecting the



application of the petitioner. Hence, he sought for dismissal of the writ petition.

5. Heard the learned counsel for the petitioner and learned HCGP for respondent No.1. Perused the writ papers.

6. It is not in dispute that the petitioner's father, namely, Late Sri Divakara, was appointed as Moto Boat Driver at Krishna Raj Sagar on 22.01.1981. He died on 27.02.2010 while he was in service. It is also not in dispute that the petitioner first submitted an application on 18.05.2011 seeking appointment on compassionate ground. Thereafter, the mother of the petitioner has filed subsequent application on 03.03.2022 requesting that the compassionate appointment be granted to the petitioner.

7. Rule 5 of the Rules mandates that every dependent of a deceased government servant, seeking



appointment under compassionate ground shall make an application within one year from the date of death of the government servant.

8. In the case on hand, the Government servant i.e., Divakara died on 27.02.2010 whereas the petitioner has filed the application on 18.05.2011 seeking appointment on compassionate ground, which is beyond the prescribed period of one year. Hence, the application itself is not maintainable as per Rule 5 of the Rules.

9. Further, the decision relied upon by the petitioner is not applicable to the facts of the case as the application itself has been filed beyond the statutory period of one year and it is well settled that there can be no estoppel against a statute.

10. In view of the above, this Court is of the opinion that the respondent No.2 was justified in rejecting the



application on the ground of delay. There is no error or illegality in the order passed by the respondent No.2.

11. The writ petition is devoid of merit and is accordingly dismissed.

12. In view of the dismissal of the writ petition, all pending interlocutory applications stand disposed of.

**Sd/-**  
**(H.T. NARENDRA PRASAD)**  
**JUDGE**

DM  
LIST NO.: 1 SL NO.: 13