



CNR: KAHC010032662026

NC: 2026:KHC:37457
WP No. 1663 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 1663 OF 2026 (S-RES)

BETWEEN:

SRI ABDUL SAJID
S/O JAVEEN KHAN,
AGED ABOUT 53 YEARS,
WATER SUPPLY ASSISTANT
(DAILY WAGE),
OFFICE OF THE MUNICIPAL COUNCIL,
CHANNAPATNA
RAMANAGARA DISTRICT - 562 160
R/AT MEHADI NAGARA,
MALLAIAHDODDI,
CHANNAPATNA, RAMANAGARA DISTRICT -562160.

...PETITIONER

(BY SRI. DINESH S K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY THE PRINCIPAL SECRETARY
TO GOVERNMENT,
URBAN DEVELOPMENT DEPARTMENT,
VIKASASOUDHA,
BENGALURU - 560 001.
2. THE DIRECTOR OF MUNICIPAL ADMINISTRATION
9TH FLOOR, VISHWESHWARAIHA TOWERS,
BENGALURU-560 001.

Digitally
signed by
KIRAN KUMAR
R

Location:
HIGH COURT
OF
KARNATAKA





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3. THE DEPUTY COMMISSIONER
RAMANAGARA DISTRICT,
RAMANAGARA – 562159
4. THE PROJECT DIRECTOR
DISTRICT URBAN DEVELOPMENT CELL,
RAMANAGARA DISTRICT,
RAMANAGARA – 562159
5. THE COMMISSIONER
TOWN MUNCIPLE COUNCIL,
CHANNAPATTNA- 562160

...RESPONDENTS

(BY SMT. MAMATHA SHETTY, AGA FOR R1 TO R4
SRI. A V GANGADHARAPPA, ADVOCATE FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ENDORSEMENT BEARING NO. RAJINAKO/MUN(2)/CR/598/2025-26 DATED 08-11-2025 (ANNEXURE-M) ISSUED BY THE RESPONDENT NO.3. DIRECTING THE RESPONDENTS TO REGULARIZE THE SERVICES OF THE PETITIONER WITH EFFECT FROM THE DATE HE COMPLETED 10 YEARS OF SERVICE AND FURTHER ISSUE A DIRECTION DIRECTING THE RESPONDENTS TO GRANT ALL CONSEQUENTIAL SERVICE AND MONETARY BENEFITS.

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



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ORAL ORDER

1. The petitioner has filed this writ petition seeking following reliefs:

"To set aside the endorsement bearing No.Rajinako/Mun(2)/Cr/598/2025-26 dated 08-11-2025 (annexure-m) issued by the respondent No.3 directing the respondents to regularize the services of the petitioner with effect from the dated he completed 10 years of service and further issue a direction directing the respondents to grant all consequential service and monetary benefits."

2. Brief facts leading rise to the filing of this petition are as follows:
3. The petitioner is working in respondent No.5-Town Municipal Council on a daily basis from 1993 without any break, till today. He was appointed against the vacant post. Without considering the said aspect of the matter, respondent No.5 has issued the



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endorsement dated 13.09.2023 rejecting the request of the petitioner for regularisation.

4. The petitioner aggrieved by the endorsement dated 13.09.2023 preferred a writ petition in W.P. No.28378 of 2023. This Court by order dated 19.08.2025 disposed of the writ petition and quashed the impugned endorsement dated 13.09.2023 issued by respondent No.5 therein, and respondent No.5 was directed to send a proposal on the basis of the application submitted by the petitioner for regularization, to the Government within two weeks from the date of receipt of a copy of the order. Further, respondent Nos.1 to 3 were directed to consider the proposal to be sent by respondent No.5 and pass appropriate orders for regularisation of the petitioner, if the petitioner satisfies all the conditions mentioned in the decision of Hon'ble Apex Court in



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the case of ***Umadevi (supra)***¹, as expeditiously as possible, not later than three months from the date of the proposal of from respondent No.5.

5. Pursuant to the order passed by this Court, respondent No.5 has sent a proposal to respondent Nos.1 and 2 to regularise the services of the petitioner. Respondent No.3 issued the impugned endorsement dated 08.11.2025 vide Annexure-M rejecting the claim of the petitioner for regularization for service. Hence, this writ petition.
6. Heard the learned counsel for the petitioner and learned Additional Government Advocate for the respondent-State.
7. Learned counsel for the petitioner submits that respondent No.3 without considering the observations made by this Court in the earlier writ petition filed by the petitioner, and without assigning

¹ *Secretary, State of Karnataka v. Umadevi (3) and others*, reported in (2006) 4 SCC 1.



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any reasons, has issued the impugned endorsement. He also submits that the impugned endorsement issued by respondent No.3 is contrary to the mandate laid down by the Hon'ble Apex Court in the case of ***Dharam Singh & Ors. vs. State of U.P. & Anr.***², ***Jaggo v. Union of India***³ and in ***Shripal & Another v. Nagar Nigam, Ghaziabad***⁴, ***Bikhani Devi and others vs. Union of India and others***⁵ and ***Sukhendu Battacharjee v. The State of Assam***⁶. He submits that the impugned order passed by respondent No.3 is without application of mind. Hence, on these grounds, he prays to allow the writ petition.

8. *Per contra*, learned Addl. Government Advocate submits that the respondents will reconsider the case of the petitioner for regularisation based on the

² Civil Appeal No(s).8558 of 2018

³ 2024 SCC OnLine SC 3826.

⁴ 2025 SCC OnLine SC 221.

⁵ 2026 LiveLaw (SC) 582, dated 01.06.2026

⁶ Civil Appeal No(s).4514 of 2025, disposed of on 21.05.2026



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recommendation made by respondent No.5 and also in terms of the judgment rendered by the Hon'ble Apex Court in the aforesaid cases (*supra*). Hence, he prays to dispose of the writ petition accordingly.

9. Perused the records and considered the submissions of the learned counsel for the parties.
10. It is an undisputed fact that the petitioner is working as a daily wager in the respondent No.5 and he was appointed against the vacant post. The petitioner made a request to respondent No.5 for regularisation of his service. Respondent No.5 submitted a proposal for regularization of the petitioner's service to respondent Nos.1 and 2. Respondent No.3 issued an endorsement dated 13.09.2023 rejecting the request of the petitioner for regularisation on the ground that he has not satisfied four conditions mentioned in ***Uma Devi's*** case⁷ (*supra*).

⁷ (2006) 4 SCC 1



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11. The said endorsement was challenged in W.P. No.28378 of 2023. This Court, vide order dated 19.08.2025 disposed of the writ petition and the impugned endorsement vide Annexure 'F' therein was quashed and respondent No.5 was directed to send a proposal on the basis of application submitted by the petitioner for regularisation to the Government within two weeks. Pursuant to the said direction, respondent No.5 has sent a proposal to the Government for considering the application for regularization of service of the petitioner vide Annexure-L dated 15.09.2025.
12. Respondent No.3 without considering the proposal sent by respondent No.5 has issued the impugned endorsement vide Annexure-M.
13. Respondent No.3 without considering the observation made by this Court, in the earlier writ petition filed by the petitioner has passed the impugned order.



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14. Further, respondent No.3 did not consider the mandate laid down by the Hon'ble Apex Court in case of ***Dharam Singh, Jaggo, Shripal, Bikhani Devi*** and ***Sukhendu Battacharjee, (supra)***, and further, from the perusal of the impugned endorsement, it clearly discloses that respondent No.3 has not applied its mind and simply rejected the proposal sent by respondent No.5.
15. In this view of the matter, this Court is of the considered view that the matter requires reconsideration by respondent No.3, as submitted by the learned Addl. Government Advocate.
16. In view of the above discussion, I proceed to pass the following order:

ORDER

- (I) The Writ Petition is ***allowed***.
- (II) The impugned endorsement dated 08.11.2025 issued by respondent



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No.3 vide Annexure-M is
quashed.

(III) Respondent No.3 is directed to reconsider the proposal sent by respondent No.5 vide Annexure-L and pass an appropriate order in accordance with law.

(IV) While passing an order, respondent No.3 is also directed to consider the decisions rendered by the Hon'ble Apex Court in cases of ***Dharam Singh, Jaggo, Shripal, Bikhani Devi*** and ***Sukhendu Battacharjee***, (*supra*) within a period of one month from the date of receipt of a copy of this order.

Sd/-
(ASHOK S.KINAGI)
JUDGE

RK
List No.: 1 Sl No.: 41