HC-KAR

NC: 2026:KHC:16129
WP No. 1429 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

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

WRIT PETITION NO.1429 OF 2025 (EDN-RES)

BETWEEN:

1. SRI. BASAVARAJENDRA HIGH SCHOOL
ARASIKERE
UNDER THE MANAGEMENT OF
SREE YALANADU JAGADGURU EDUCATION SOCIETY,
(REGISTERED UNDER MYSORE SOCIETIES
REGISTRATION ACT, 1960)
ARASIKERE, HASSAN - 573 103,
REPRESENTED BY ITS SECRETARY.

...PETITIONER

(BY SRI. P.N. MANMOHAN, ADVOCATE FOR

SRI. VINAYAKA B. VISHNU BATTA, ADVOCATE)

Digitally signed by
CHAYA S A
Location: HIGH
COURT OF
KARNATAKA

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF SCHOOL
EDUCATION AND LITERACY,
REPRESENTED BY ITS
PRINCIPAL SECRETARY,
M.S. BUILDING,
AMBEDKAR VEEDHI,
BENGALURU 560 001.

2. THE COMMISSIONER FOR SCHOOL EDUCATION
COMMISSIONER'S OFFICE,
DEPARTMENT OF EDUCATION,
NRUPATUNGA ROAD,
BENGALURU-560 001.

3. THE DIRECTOR OF SCHOOL EDUCATION,
SECONDARY EDUCATION,
NRUPATUNGA ROAD,
BENGALURU - 560 001.

4. THE DEPUTY DIRECTOR OF
PUBLIC INSTRUCTION,
HASSAN DISTRICT,
HASSAN - 573 201.

5. THE BLOCK EDUCATION OFFICER,
ARASIKERE TALUK,
ARASIKERE,
HASSAN-573 103.

6. NOLAMBA VEERASHIVA SANGHA (R),
REGISTERED UNDER THE KARNATAKA SOCIETY
REGISTRATION ACT, 1959
DAANASHOORA KAMBI
SIDDARAMANNA HOSTEL, NO.1/A,
1ST CROSS, 3RD STAGE, 4TH BLOCK,
BASAVESHWARA NAGAR,
BENGALURU - 560 079
REPRESENTED BY ITS SECREATARY.

…RESPONDENTS

(BY SRI. SMT. SUKANYA BALIGA B., AGA FOR R1 TO R5;
SRI. DAYANAND S. PATIL, ADVOCATE FO R6)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 10.01.2025 BEARING NO. C8(4).SHA.SHI.A/ ETARE/ 214/2019-20 PASSED BY THE RESPONDENT NO.3 THE DIRECTOR OF SCHOOL EDUCATION, SECONDARY EDUCATION, BENGALURU VIDE (ANNEXURE-A); DIRECT THE RESPONDENT AUTHORITIES TO RENEW THE RECOGNITION OF THE PETITIONER SCHOOL AS EXPEDITIOUSLY AS POSSIBLE.

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. In this writ petition, petitioner is assailing the order dated 10.01.2025 (Annexure-A) passed by respondent No.3, inter alia, sought for a direction to respondent - Authorities to renew the recognition of the petitioner - School as expeditiously as possible.

2. Heard learned counsel appearing for the parties.

3. Sri. Manmohan P.N., learned counsel for the petitioner contended that, the reason assigned in the impugned order at

Annexure A as to withdrawal of the recognition is incorrect as the reason assigned by the respondent - Authority in Annexure A stating that the school building is in dilapidated condition, is not true. In this connection he refers to the order of this Court dated 25.02.2026 and also the report filed by the Executive Engineer, Public Works Department, Hassan Division, and contended that, the reasons assigned by the respondent - authorities, cancelling the recognition requires to be interfered with in this Writ Petition.

4. Per contra, Smt. B. Sukanya Baliga, learned Additional Government Advocate sought to justify the impugned order at Annexure-A.

5. Having taken note of the submissions made by the learned counsel for the parties, the reasons assigned by the respondent-authorities at page 3 of the impugned order would indicate that the School building is in dilapidated condition and therefore, the safety of the students in the School cannot be compromised vis-à-vis the running of the School and therefore, the recognition was withdrawn by the respondent-authorities. However pursuant to the order passed by this Court, the

Executive Engineer, Public Works Department, Hassan Division, has filed a report dated 13.03.2026 in which it is stated as follows:

> "All the rooms are in good condition with required facilities for running the school. The building is provided with proper water supply and sanitation facility and also equipped with required furnitures, electrification, computer facilities etc. The roof of the Building is covered with G.I sheet roofing using steel trusses to the lower height in order to protect the RCC roof from weathering actions."

6. In that view of the matter, taking into consideration the report filed by the Executive Engineer, Public Works Department, Hassan Division, I am of the view that the reasons assigned by the respondent-authorities being not correct and the respondent - Authorities have acted without application of mind i.e., without having the proper report as to the condition of the building is concerned.

7. In so far as the arguments advanced by the learned counsel appearing for the parties as to the title of the building

is concerned, the same cannot be adjudged by the respondent - Authority, unless there is a dispute as to the same.

8. In the result, I pass the following:

ORDER

(i) The Writ petition is allowed.

(ii) The order dated 10.01.2025 passed by the respondent No.3 is hereby set aside and the writ of mandamus is issued to respondent Nos.3 and 4 to renew the recognition of the petitioner - School, within a period of four weeks from the date of receipt of certified copy of this order.

SD/-
(E.S.INDIRESH)
JUDGE

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List No.: 1 Sl No.: 6