



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF MARCH, 2026

BEFORE

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

WRIT PETITION NO. 1932 OF 2026 (EDN-RES)

BETWEEN:

RAHAMANIYA VIDYA SAMSTHE (R),
SOCIETIES REGISTERED UNDER
KAWRNATKAA SOCIETIES ACT SITUATED AT
BAGIRATHA STREET, NALLUR CAMP,
NALLUR CHANNAGIRI TALUK,
DAVANAGERE DISTRICT - 577221.
REPRESENTED BY ITS PRESIDENT
FARHATH UNNISA

...PETITIONER

(BY SRI. S. SUDHARSAN, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY
PRINCIPAL SECRETARY
DEPARTMENT OF EDUCATION
(PRIMARY AND SECONDARY EDUCATION)
VIDHANA SOUDHA,
BANGALORE - 560 001.
2. COMMISSIONER OF PUBLIC
INSTRUCTION
DEPARTMENT OF EDUCATION
(PRIMARY AND SECONDARY EDUCATION)

Digitally signed
by AASEEFA
PARVEEN

Location: HIGH
COURT OF
KARNATAKA



NRUPATHUNGA ROAD
BANGALORE - 560 001.

3. DEPARTMENT OF EDUCATION
(PRIMARY AND SECONDARY EDUCATION)
CHANNAGIRI TALUK,
DAANAGERE,
DISTRICT - 577002.
4. BLOCK EDUCATION OFFICER
DEPARMENT OF PUBLIC INSTRUCTIONS,
CHANNAGIRI TALUK,
DAVANGERE DISTRICT-577213.

...RESPONDENTS

(BY SMT. SUKANYA BALIGA B., AGA FOR R1 TO R4)

THIS WRIT PETITON IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTION AGAINST THE RESPONDENTS TO CONSIDER ITS REPRESENTATION, TO COMMENCE ITS SCHOOL IN THE STATED PREMISES. AT ANNEXURE-H DATED 05.12.2025 PAGE NO.5 34-39 AND ANNEXURE-H DATED 18.12.2025 PAGE NO.5- NO. 48 QUASH THE RESPONDENTS COMMUNICATION DATED 03.01.2026 BEARING NO. ANU-04/KA.PRA.SHA.MA.HIM/58/2025-26 AT ANNEX-J AT PAGE 49-51.

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

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



ORAL ORDER

Heard the learned counsel appearing for the parties.

2. In this writ petition, petitioner is assailing the order dated 03.01.2026 (Annexure-J) passed by respondent No.3, *inter alia* sought for direction to the respondents to consider the representation at 'Annexures-H'.

3. It is argued by the learned counsel appearing for the petitioner that the recognition to run the school by the petitioner-institution was granted way back in 14.06.2010 (Annexure-E) and the land in question was converted and also it is argued by the learner counsel appearing for the petitioner that a suit in O.S.No.4/2021 is pending before the Competent Court, between the petitioner and its expelled trustees and the same is nothing to do with insofar as the compliance of the provisions under the Karnataka Education Act, 1983 and therefore learned counsel sought for interference of this Court.

4. *Per contra*, Smt.Sukanya Baliga B., learned AGA, sought to justify the impugned order passed by the competent authority at 'Annexure-J' and submitted that it is the duty of the petitioner-institution to follow the provisions contained



under the Act as well as the relevant rules to run the institution and therefore it is submitted that the writ petition requires to be dismissed.

5. In the light of the submission made by the learned counsel appearing for the parties, on careful consideration of the Annexure-B dated 14.06.2010, wherein the respondent No. 4 has accorded permission to the petitioner-institution to run the school. It is also to be noted that certain conditions have been stipulated therein. In the backdrop of these aspects, a perusal of the Memorandum dated 03.01.2026 (Annexure-J) wherein respondent No.3 has opined that there is a suit pending consideration as to the subject matter of the school in O.S.No.4/2021 and also, the land in question is not converted and accordingly, issued an order under Section 39 of the Act.

6. Having considered the reasons stated by respondent No.3, it is not in dispute that the suit in O.S.No.4/2021 is between the petitioner-institution with one of its expelled trustees and same cannot be considered as a reason for de-recognize the school. It is also forthcoming from the impugned order at 'Annexure-J' that the land in question is



not converted. It has to be considered that in the event if the land is not converted nor the petitioner-Institution has not produced any documents as to the lease for a period of 30 years, then the respondent authority has to explain on what basis they have issued the recognition on 14.06.2010 (Annexure-B). In that view of the matter, I find force in the submission made by the learned counsel appearing for the petitioner that the Memorandum dated 03.01.2026 (Annexure-J) passed by respondent No.3 requires to be quashed. Accordingly, same is quashed.

7. However, it is open for the respondents-authorities to seek the relevant documents from the petitioner as to the compliance of the provisions under the Act, in the circumstances of the case.

Accordingly, this writ petition is allowed.

Sd/-
(E.S.INDIRESH)
JUDGE

AP
List No.: 1 Sl No.: 16