



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 4487 OF 2025 (S-RES)

C/W

WRIT PETITION NO. 33127 OF 2024 (S-RES)

IN WP No. 4487/2025:

BETWEEN:

SRI S. RENUKARADHYA @
MRUTHYUNJAYASWAMY,
SON OF SHANTHAPPA
AGED ABOUT 57 YEARS,
PROFESSOR,
SRI SIDDALINGESHWARA VEDA-SANSKRITA
COLLEGE, SRI SIDDAGANGA MUTT,
TUMKURU-572 104.

...PETITIONER

(BY SRI. LEELADHAR H.P., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF HIGHER EDUCATION,
M.S. BUILDING,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 001.
2. THE VICE-CHANCELLOR,

Digitally
signed by
SHILPABAI S
Location:
HIGH
COURT OF
KARNATAKA





KARNATAKA SANSKRIT UNIVERSITY,
SRI JAYACHAMARAJENDRA SAMSRUKTA
MAHAVIDYALAYA PREMISES,
PAMPA MAHAKAVI ROAD,
CHAMARAJPET,
BENGALURU-560 018.

3. THE PRESIDENT,
SRI SIDDAGANGA EDUCATIONAL
SOCIETY (REGD.)
SIDDAGANGA MUTT,
TUMKUR TOWN,
TUMKUR DISTRICT-572 104.
4. THE PRINCIPAL,
SRI SIDDALINGESHWARA VEDA
SAMSKRITHA COLLEGE
SRI SIDDAGANGA MUTT,
TUMKUR TOWN,
TUMKUR DISTRICT-572 104.

...RESPONDENTS

(BY SMT. MAMATHA SHETTY, AGA FOR R1;
SRI. ABHINAV R., ADVOCATE FOR R2;
SRI. RAJESWARA ;P.N., ADVOCATE FOR R3;
R4 - SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE ORDER DATED 02.01.2025 PASSED BY THE 3RD
RESPONDENT IN SSES:2700/2024-25, UNDER ANNEXURE-A,
IN THE ENDS OF JUSTICE AND DIRECTION IN THE FORM OF
WRIT, DIRECTING THE RESPONDENTS 3 AND 4 TO PAY
ARREARS OF SUBSISTENCE ALLOWANCE OF 75%
AMOUNT TO RS.17,37,879-00 TO THE PETITIONER, IN THE
ENDS OF JUSTICE.



IN WP NO. 33127/2024:

BETWEEN:

SRI. M.R. MALLARADHYA
SON OF M. RENUKARADHYA,
AGED ABOUT 44 YEARS,
RESIDING AT MALLIKARJUNA NILAYA,
3RD MAIN ROAD, BASAVESHWARA BADAVANE,
KYATHSANDRA, TUMAKURU-572 104.

...PETITIONER

(BY SRI. FAYAZ SAB B.G., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF HIGHER AND PRIMARY EDUCATION,
M.S. BUILDING,
BENGALURU-560 001.
2. THE COMMISSIONER,
DEPARTMENT OF SCHOOL EDUCATION,
NRUPATHUNGA ROAD,
BENGALURU-560 001.
3. THE DIRECTOR,
DEPARTMENT OF SCHOOL EDUCATION,
K.R.CIRCLE,
BENGALURU-560 001.
4. THE DEPUTY DIRECTOR (ADMI)
DEPARTMENT OF SCHOOL EDUCATION,
DR. SARVAPALLI RADHAKRISHNA ROAD,
SOMESHWARAM,
TUMAKURU-572 102.
5. THE BLOCK EDUCATION OFFICER,
DEPARTMENT OF SCHOOL EDUCATION,
GUMCHI CIRCLE, OPP. TOWN POLICE STATION,



TUMAKURU-572 102.

6. THE PRESIDENT
SREE SIDDAGANGA EDUCATION SOCIETY,
SREE SIDDAGANGA MUTT,
TUMAKURU-572 104.
7. THE HEAD MASTER,
SREE SIDDAGANGA SANIVASA HIGH SCHOOL,
SREE SIDDAGANGA MUTT,
KYATHASANDRA, TUMAKURU TALUK,
TUMAKURU-572 104.

...RESPONDENTS

(BY SMT. MAMATHA SHETTY, AGA FOR R1 TO R5;
SRI CHANNABASAPPA S.N., ADVOCATE FOR R7;
SRI RAJESWARA P.N., ADVOCATE FOR R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH AN IMPUGNED ORDER OF SUSPENSION BEARING NO.S.S.E.S:1/86/2023-24, DATED 18.07.2023, PASSED BY THE SIXTH RESPONDENT MANAGEMENT WHEREIN THE PETITIONER HEREIN IS KEPT UNDER SUSPENSION WITH EFFECT FROM 22.06.2023 WHICH IS PRODUCED HERewith AND MARKED AS ANNEXURE-J AS ILLEGAL, ARBITRARY, CAPRICIOUS, MALAFIDE, DISCRIMINATORY AND PASSED WITHOUT APPLICATION OF MIND AND OPPOSED TO THE PRINCIPLES OF NATURAL JUSTICE.

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

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



ORAL ORDER

1. The petitioners have filed these writ petitions seeking following prayers:

In WP No.4487 of 2025:

- (a) Issue writ of certiorari or order or direction in the form of writ, quash the order dated 02.01.2025 passed by the 3rd respondent in SSES:2700/2024-25, under Annexure-A, in the ends of justice and
- (b) Issue writ of mandamus order or direction in the form of writ, directing the respondents 3 and 4 to pay arrears of subsistence allowance of 75% amount to Rs.17,37,879-00 to the petitioner, in the ends of justice.
- (b)(a) Issue writ of mandamus order or direction in the form of writ directing the 2nd respondent to pay arrears of subsistence allowance at 75% to the petitioner amounting to



Rs.17,37,879/- to the petitioner along with respondent Nos.3 and 4 in the ends of justice.

- (c) Issue writ or order or direction in the form of writ for any other relief/s as the Hon'ble Court deems fit under the circumstances of the case including the cost of the Writ Petition.

In W.P. No.33127 of 2024:

- (i) To issue a writ of certiorari to quash an impugned order of suspension bearing No.S.S.E.S.: 1/86/2023-24, dated 18.07.2023, passed by the sixth respondent Management wherein the petitioner herein is kept under suspension with effect from 22.06.2023 which is produced herewith and marked as Annexure-J as illegal, arbitrary, capricious, *mala fide*, discriminatory and passed without application of mind and opposed to the principles of natural justice;



- (ii) To issue a writ of mandamus, in the nature of Order or direction, directing the Sixth Respondent to Revoke forthwith an impugned Order of SUSPENSION bearing No.S.S.E.S:1/86/2023-24 dated 18.07.2023, passed by the sixth respondent Management wherein the petitioner herein is kept under suspension with effect from 22.06.2023 which is produced herewith and marked as Annexure-J and direct the Sixth Respondent to permit the Petitioner to work as Assistant Master in Seventh Respondent Educational institution, in the interest of justice and equity.
- (iii) To Grant, such other relief or reliefs as this Hon'ble Court deems fit to grant under the circumstances of the case, in the interest of justice and equity.



In WP No.4487 of 2025:

2. The petitioner was appointed as an Assistant Professor at respondent-College on 15.11.1996. A criminal case came to be registered against the petitioner and the petitioner was kept under suspension. The petitioner approached respondent No.4 by addressing a letter dated 20.01.2023 informing that since he was enlarged on bail in Criminal Petition No.76 of 2023, he sought for withdrawal of his suspension order, as well as, sought permission to report for duty. The petitioner submitted a representation for payment of subsistence allowance. However, even after a lapse of six months, the respondents did not pay the subsistence allowance. Hence, this petition.
3. The respondents filed statement of objections, contending that the petitioner is not entitled for any subsistence allowance on the ground that the



petitioner was out of the head quarters. Hence, the respondents have withdrawn the request of the petitioner for payment of subsistence allowance. Hence, prays to dismiss the writ petition.

4. Heard the arguments of the learned counsel for the petitioner and learned counsel for the respondents.
5. Learned counsel for the petitioner submits that the petitioner has produced the additional records to establish that the petitioner was in the head quarters during the suspension period. The petitioner could not produce the records before the respondents. Hence, he submits that a direction be issued to the respondents to reconsider the case of the petitioner in terms of the additional documents produced. Hence, on these grounds, he prays to allow the writ petition.
6. *Per contra*, learned counsel for the respondents submits that the respondents have already passed an



order of punishment and the petitioner is not entitled to any subsistence allowance. However, he submits that as the petitioner has produced additional documents, the respondents will re-examine the case of the petitioner for payment of subsistence allowance. Hence, on these grounds, he prays to dispose of the writ petition.

7. Perused the records and considered the submissions of the learned counsel for the respective parties.
8. It is an undisputed fact that the petitioner was working in the respondent Institution and a criminal case came to be registered against the petitioner. The petitioner was in judicial custody and subsequently, has been enlarged on bail. On the basis of the criminal case registered against the petitioner, the respondents have initiated a disciplinary enquiry against the petitioner, and the petitioner was kept under suspension. The petitioner



contended that the respondents have not paid the subsistence allowance during the suspension period. The respondents contended that during the suspension period, the petitioner was not in the head quarters and the petitioner has not produced any records to demonstrate that he was in the head quarters during the suspension period. Hence, for the said reason, the respondents have issued an endorsement rejecting the request of the petitioner for payment of subsistence allowance.

9. The petitioner has produced the additional documents to demonstrate that the petitioner was in the head quarters during the period of suspension. Said additional documents were not placed before the respondents along with the application for payment of subsistence allowance.
10. As the petitioner has produced the additional documents to demonstrate that he was in the head



quarters during the period of suspension, and as the learned counsel for the respondents submits that, in view of the production of additional documents, the respondents will reconsider the case of the petitioner for payment of subsistence allowance, the writ petition deserves to be allowed.

In W.P. No.33127 of 2024:

11. The petitioner was appointed as Assistant Teacher in Arts at respondent-College on 30.12.2006. A criminal case came to be registered against the petitioner and the petitioner was kept under suspension. The petitioner submitted a representation for payment of subsistence allowance. However, even after a lapse of six months, the respondents did not pay the subsistence allowance. Hence, this petition.
12. Learned counsel for the petitioner submits that the petitioner will not press prayer No.1 and submits that the respondents may be directed to reconsider the



case of the petitioner for payment of subsistence allowances.

13. *Per contra*, learned counsel for the respondents submits that the respondents will reconsider the case of the petitioner for payment of subsistence allowances in accordance with law.

14. In view of the submission made at the Bar, if a direction is issued to the respondents to reconsider the case of the petitioner for payment of subsistence allowances within one month, that would meet the ends of justice.

15. In view of the above discussion, I proceed to pass the following order:

ORDER

(I) Writ Petition No.4487 of 2025 is ***allowed;*** the impugned order dated 02.01.2025 passed by respondent No.3 vide Annexure "A" is ***quashed***.



(II) Writ Petition No.33127 of 2024 is
disposed of.

(III) The respondents in both writ petitions are directed to reconsider the case of the petitioners for payment of subsistence allowance and pass an appropriate order in accordance with law, 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.: 20