



CNR: KAHC010122342026

NC: 2026:KHC:55470
WP No. 5302 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

WRIT PETITION NO. 5302 OF 2026 (S-RES)

BETWEEN:

SRI. M. R. RENUKASWAMY
S/O LATE M R REVANNA,
AGED ABOUT 62 YEARS,
RETIRED REGIONAL MANAGER,
KARNATAKA STATE WARE HOUSING CORPORATION,
R/AT NO. 1669, 2ND CROSS, 2ND STAGE,
BALAMURIGANAPATHI TEMPLE STREET,
SRIRAMPURA, MYSURU - 570034.

...PETITIONER

(BY SRI. ANANDA H.J., ADVOCATE)

AND:

KARNATAKA STATE WAREHOUSING CORPORATION
(A GOVERNMENT OF KARNATAKA UNDERTAKING)
REPRESENTED BY ITS MANAGING DIRECTOR,
UGRANA BHAVANA, NO.43,
PRIME ROSE ROAD, P B NO. 2586,
BENGALURU - 560025.

...RESPONDENT

(BY SMT. URMILA PULLAT, ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO CALL FOR
RECORDS FROM THE RESPONDENT PERTAINING TO THE
IMPUGNED SHOW CAUSE NOTICE CUM ARTICLES OF CHARGE

Digitally signed
by VIDYA G R
Location
HIGH COURT
OF
KARNATAKA



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BEARING NO.KARAUNI/JAV/16/2025-26/2340 DATED 05/02/2026 VIDE AT ANNEXURE-A AND QUASH THE IMPUGNED SHOW CAUSE NOTICE CUM ARTICLES OF CHARGE BEARING NO. KARAUNI/JAV/16/2025-26/2340 DATED 05/02/2026 VIDE AT ANNEXURE-A ISSUED BY THE RESPONDENT AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

ORAL ORDER

The present petition has been filed by the retired Regional Manager of the Karnataka State Warehousing Corporation, calling in question the validity of the show cause notice and the Articles of Charges dated 05.02.2026 at Annexure-A. The petitioner has also sought for consequential relief of directing the respondent to release the entirety of the superannuation benefits along with interest. Such prayer is sought for consequent to setting aside of the Articles of Charges.

2. The facts made out are that the petitioner had joined the services of the respondent - Corporation initially as a Technical Assistant and later promoted as a



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Warehouse Manager and eventually at the time of superannuation, was holding the post of Regional Manager.

3. It is made out from the facts that, the petitioner was working as a Warehouse Manager at Bannuru during the period of 2014 to 2017. It is further made out from the facts that during such time, the premises of the Warehouse Corporation was let out to the Karnataka Food and Civil Supplies Corporation (hereinafter referred to as 'KFCSC') on a monthly rent on 12.01.2015 and the KFCSC had surrendered possession on 12.08.2016. It is further made out that the said KFCSC had not cleared the entirety of rent, for which the Corporation had taken the stand that the petitioner was responsible.

4. At the time of superannuation, the petitioner's superannuation benefits were withheld on the very same ground that petitioner was responsible for non-recovery of rent payable by KFCSC. The challenge to such action by



the petitioner eventually resulted in the order being passed by this Court in W.P.No.30732/2024 which came to be disposed of on 10.09.2025. The relevant observations made at para-6 and 7 are to be looked into. The said observation reads as follows:

"6. The petitioner was appointed as a Technical Assistant in the respondent - Corporation. Thereafter, he was promoted as Assistant Manager and in the year 2020 he was promoted as Deputy Manager and in the year 2021 as Regional Manager in Mysore Division and he retired from the service on 31.01.2024, on attaining the age of superannuation. The respondent, without conducting any enquiry, imposed penalty of withholding the retirement benefits of the petitioner, on the ground that, the petitioner has failed to collect the rent from the KSCSC in a sum of Rs.44,71,334/-. The impugned order at Annexure-A is passed without giving any notice and without conducting any enquiry. On this ground alone, the impugned order requires to be quashed.

7. In view of the above, the following order is passed:



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- (i) *The writ petition stands disposed of.*
- (ii) *The impugned order vide Annexure-A dated 13.08.2024 is quashed.*
- (iii) *The respondent is directed to consider the representations submitted by the petitioner at Annexure-P series, in accordance with law, as expeditiously as possible, not later than three months from the date of receipt of a copy of this order.*
- (iv) *It is made clear that, if the law permits, the respondent is at liberty to initiate the departmental enquiry, in accordance with law."*

5. In light of the said observation, as liberty was reserved to initiate departmental enquiry, departmental enquiry has been initiated and Articles of Charges were framed on 05.02.2026. Copy of the said Articles of Charges is enclosed at Annexure-A. The date for commencement of enquiry would be the date when the Articles of Charges are framed i.e., 05.02.2026.



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6. The Corporation has adopted the Karnataka Civil Services Rules (for short, 'KCSR') and Karnataka Civil Services (Classification, Control and Appeal) Rules (for short, KCS (CC & A) Rules) and enquiry was initiated in terms of the said rules. The subject matter of the enquiry relates to the period of 01.01.2012 to 18.01.2017 as made out to Appendix No.2 to the Articles of Charges.

7. In terms of Rule 214(2)(b)(ii) of the KCSR, there is an embargo, preventing action to be taken as regards an event that took place more than four years before such institution. Rule 214(2)(b)(ii) of KCSR reads as follows:

"Rule 214(2)(b):- *The departmental proceedings, if not instituted while the Government servant was in service, whether before his retirement or during his re-employment.*

(i)

(ii) *shall not be in respect of any event which took place more than four years before such institution."*



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8. In light of the admitted facts that the Articles of Charges were framed on 05.02.2026 relating to an incident that took place between 01.01.2012 and 18.01.2017, said action would fall foul of the embargo imposed under Rule 214(2)(b)(ii) of the KCSR.

9. Though learned counsel for the respondent - Corporation submits that the obligation to recover rent is a continuing cause of action and accordingly, limitation would not come in the way of initiation of proceedings, such contention is liable to be rejected as the petitioner's role as made out in the Articles of Charges relate to the year of 2012 to 2017 and accordingly, once the petitioner is stated to have committed lapse in not taking steps for recovery of rent, action should have been initiated within a reasonable period of lapse having been noticed.

10. Even otherwise, the petitioner has attained superannuation on 31.01.2024 and the Corporation had specifically refused to release the superannuation benefits



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on the very same ground. If that were to be so, in action of the Corporation being aware of lapse of the petitioner in seeking to initiate proceedings only pursuant to the observations of the Co-ordinate Bench, is impermissible.

11. Further, observations made by the Co-ordinate Bench granting liberty to initiate proceedings must be read as 'permission granted to initiate proceedings as is permissible in law'.

12. In light of the bar under Rule 214(2)(b)(ii), question of initiating proceedings in violation of such mandate is impermissible. Accordingly, the action of the respondent in not disbursing the superannuation benefits, requires to be interfered.

13. In light of the above discussion, the Articles of Charges at Annexure-A and the proceedings for enquiry are set aside. The respondent is directed to release forthwith all pending superannuation benefits to the petitioner.



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14. At this stage upon instructions, learned counsel for the respondent submits that they would pay the superannuation benefits within a period of three (3) months. Such submission is made while the Court was considering the grant of interest on the payment of superannuation benefits.

15. In light of such stand taken by the respondent - Corporation and in light of the memo filed, while we record that consequent to setting aside of the Articles of Charges, all superannuation benefits of the petitioner pending would be made good to the petitioner within three (3) months, the request for interest on the same is rejected.

Accordingly, the petition is ***disposed of***.

Sd/-
(S SUNIL DUTT YADAV)
JUDGE