



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

WRIT PETITION NO. 5895 OF 2023 (GM-CC)

BETWEEN:

SRI. KRISHNAMURTHY B M
S/O LATE DODDAMUNIYAPPA
AGED ABOUT 43 YEARS
RF/AT BOYILURU VILLAGE
BANGARAPET TALUK
KOLAR DISTRICT - 563 129.

...PETITIONER

(BY SRI. KASHINATH J D.,ADVOCATE)

AND:

1. THE CHAIRMAN AND
THE DEPUTY COMMISSIONER
DISTRICT LEVEL CASTE VERIFICATION COMMITTEE
KOLARA DISTRICT
KOLAR - 563 101.
2. THE JOINT DIRECTOR
AND MEMBER SECRETARY
DISTRICT LEVEL CASTE VERIFICATION COMMITTEE
KOLARA DISTRICT
OFFICE OF THE JOINT DIRECTOR
DEPARTMENT OF SOCIAL WELFARE
KOLAR DISTRICT
KOLAR - 563 101.
3. THE TAHSILDAR



BANGAREPET TALUK
BANGARPETE
KOLAR DISTRICT - 563 114.

...RESPONDENTS

(BY SRI. C. JAGADISH.,ADVOCATE FOR R1 TO R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE IMPUGNED ORDER DATED 04/02/2023 PASSED BY THE R-1 CASTE VERIFICATION COMMITTEE KOLAR AS PER ANNEXURE-A COMMUNICATED THROUGH RPAD ON 16/02/2023 FROM THE OFFICE OF THE R-2 AS PER ANNEXURE-A1 AS ILLEGAL AND WITHOUT JURISDICTION.

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

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

Petitioner who had obtained a caste certificate from the concerned Tahsildar, Bangarpet Taluk on 28.07.2003, certifying him to have belonged to 'Nayaka' caste, which was cancelled by the respondent No.2, as per Order passed at Annexure-A, constraining him to approach this Court seeking following reliefs: similar

"I. Issue writ or order or any other writ in the nature of certiorari to quash in the impugned order dated 04.02.2023 passed by the respondent No.1-Caste Verification Committee, Kolar communicated through RPAD on 16.02.2023 from the office of the respondent No.2 as per Annexure-A as illegal and without jurisdiction.

II. Issue any other writ or order or direction or any other direction deems fit to the facts and circumstances of the case to meet the interest of justice. "



2. Learned counsel for the petitioner submits, the caste certificate once issued by the Tahsildar cannot be cancelled by the respondent No.1-District Caste Verification Committee. Referring to the contents of Annexure-C, he further submits that the respondent No.1-District Caste Verification Committee has become active only at the instance of Deputy Superintendent of Police CRE Cell, which in turn has acted upon a private complaint by certain K. C. Narayanaswamy. Thus, he submits the entire process and the procedure adopted by the respondents-authorities runs contrary to the provisions of the Karnataka SC/ST and Other Backward Classes (Reservation of Appointments, etc.,) Act, 1990 (Act, 1990 for short).

3. He refers to Sections 4B, 4C, 4D, 4F and Rule 7 of the Karnataka SC/ST and Other Backward Classes (Reservation of Appointments, etc.) Rules, 1992 (Rules, 1992 for short) and submits if any person aggrieved by the order of the Tahsildar issuing the caste certificate, is required to file an appeal to Assistant Commissioner of Revenue Sub-Division under Section 4B of the Act, 1990. A revision is provided at the hands of Deputy Commissioner under Section 4F either *suomoto* or on an application made to him with regard to the validity or



otherwise of the order passed under Sections 4A and 4B of the Act, 1990. In this context, he refers to the judgment of the Coordinate Bench of this Court, in W.P.No.7390/2020, wherein the Co-ordinate Bench of this Court had reserved liberty to Deputy Commissioner. Instead the District Caste Verification Committee in exercise of its purported power under Section 4C of Act, 1990 read with Rule 7 of the Rules, 1992 has proceeded to cancel the Caste Certificate. He refers to sub-Rule (4) of Rule 7 of Rules, 1992 to contend the role of DCRE cell would come into picture only when the matter is referred to it by District Caste Verification Committee and not otherwise. Thus, he submits there is a substantial procedural lapse in respondents-authorities proceeding with the matter.

4. He also relies upon the judgment of the Division Bench of this Court in the case of the **APPOINTING AUTHORITY/REGIONAL MANAGER, STATE BANK OF INDIA AND ANOTHER VS. SHRI. BHEEMAPPA AND ANOTHER** in **W.A.No.100110/2020** dated 10.11.2020.

5. In response, learned counsel appearing for the respondents-authorities submits that the respondent No.1-



District Caste Verification Committee initiated the impugned proceedings culminating in issuance of the impugned order as a complainant/representation had been made with serious allegation of fraud played by the petitioner. Such complaint/representation was also given to other authorities including the Election Commission. Therefore, the District Caste Verification Committee has taken action in the matter resulting in the impugned order. He however fairly submits as per the provisions of the Act, 1990 and the Rules, 1992 provided thereunder and in the light of the direction given by the Coordinate Bench of this Court in its earlier order, the appropriate course of action ought to have been as per Section 4B or under Section 4F of the Act, 1990. Therefore, he submits liberty be reserved to the respondents-authorities to initiate action in accordance with law.

6. Submission is placed on record.

7. Facts noted above indicate that the respondent No.1- District Caste Verification Committee has, at the instance of Deputy Superintendent of Police, CRE Cell, Kolar proceeded



to pass the order which runs contrary to Section 4C of Act, 1990 read with Rule 7 of the Rules, 1992.

8. Under Sub-section (3) of Section 4C of the Act, 1990 the respondent No.1-District Caste Verification Committee is required to hold an enquiry for grant of validity certificate or reject the same upon an application made to it under Sub-section (2) of Section 4C of the Act.

9. Sub-Rule (4) of Rule 7 contemplates a reference of the matter by the Caste Verification Committee to the Deputy Superintendent of Police CRE Cell, for detailed investigation and report if the District Caste Verification Committee is not in a position to come to conclusion even after the enquiry under sub-Rule (2) and (3) of Rule 7.

10. In the instant case, the District Caste Verification Committee has acted and issued the impugned order at the instance of respondent No.2- CRE Cell which in turn was set in motion upon a private complaint, which is impermissible.



11. In that view of the matter, petition is ***allowed***.
Order as per Annexure-A passed by the respondent No.1-
District Caste Verification Committee is quashed.

12. Notwithstanding allowing of the petition, it is open
to the concerned authority to initiate proceedings under the
provisions of law, keeping in mind the observation made herein
above.

Sd/-
(M.G.S. KAMAL)
JUDGE