



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 54205 OF 2017 (S-RES)

BETWEEN:

1. SRI. K.S. VIJAYANANDA
S/O SUBBEGOWDA
AGED ABOUT 57 YEARS
WORKING AS NON-TECHNICAL GRADUATE
OFFICE OF THE EXECUTIVE ENGINEER NO.6
HEMAVATHI DIVISION, PANDAVAPURA
R/AT HEMAVATHI COLONY
PANDAVAPURA, MANDYA DISTRICT-571434.
2. SRI C B SHIVARAMU
S/O C.S.BETTEGOWDA
AGED ABOUT 59 YEARS
WORKING AS NON-TECHNICAL GRADUATE
OFFICE OF THE EXECUTIVE ENGINEER NO.9
HEMAVATHI DIVISION, CHINAKURALI
PANDAVAPURA TALUK
R/AT CHINAKURALI, PANDAVAPURA TALUK
MANDYA DISTRICT-571434.
3. SIR BYRASHETTY
S/O BYRASHETTY
AGED ABOUT 58 YEARS
WORKING UNSKILLED HEAVY
OFFICE OF THE ASST. EXECUTIVE ENGINEER
NO.24, HEMAVATHI SUB-DIVISION
PANDAVAPURA, R/AT HOSAHUNDI VILLAGE
GANAPATHI ASHRAMA POST
MYSURU TALUK, MYSURU DISTRICT-570008.

...PETITIONERS

(BY SRI. ANANDA K., ADVOCATE)

Digitally signed by
MALATHI
CHALUMA
IYENGAR
Location: HIGH
COURT OF
KARNATAKA



AND:

1. THE STATE OF KARNATAKA
REP. BY ITS CHIEF SECRETARY
VIDHANA SOUDHA, BENGALURU-560001.
2. THE DEPARTMENT OF WATER RESOURCES
VIKASA SOUDHA, BENGALURU-56001.
REP. BY ITS SECRETARY
3. THE CAUVERY NEERAVARI
NIGAMA NIYAMITA, MYSURU-570001
REP. BY ITS MANAGING DIRECTOR.
4. THE CHIEF ENGINEER
WATER RESOURCES AND
DEVELOPMENT AUTHORITY
ANANDA RAO CIRCLE
BENGALURU-560009.
5. THE CHIEF ENGINEER
HEMAVATHI JALASHAYA YOJANE
GORURU, HASSAN DISTRICT-573116.
6. THE SUPERINTENDING ENGINEER
HEMAVATHI NALA CIRCLE
CHANNARAYAPATNA
HASSAN DISTRICT-573116.
7. THE EXECUTIVE ENGINEER
NO.6, HEMAVATHI LEFT BANK CANAL DIVISION
PANDAVAPURA, MANDYA DISTRICT-571434.

...RESPONDENTS

(BY SRI.G RAMESH NAIK, AGA FOR R1 & R2:
SRI K S BHEEMAIAH., ADVOCATE FOR R3, R6 & R7:
R4 AND R5 ARE SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT OR ORDER TO QUASH THE LETTERS/ENDORSEMENTS BEARING NO: EE/6,HE.L.C.D/PANDAVAPURA/SIBBANDI-1/KDEWA-2012/2017-18/346, DATED: 15.07.2017 ISSUED BY THE 7TH RESPONDENT AT ANNEXURES-K, L & M AND ETC.



THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

1. In this writ petition, the petitioners have called in question the endorsements dated 15.07.2017 issued by respondent No.7 vide Annexures-K, L and M, whereby their request for regularization of service has been rejected.

2. The case of the petitioners is that petitioner No.1 was initially appointed on 01.08.1984 on daily wage basis in the office of the Executive Engineer, No.5, Hemavathi Left Bank Canal Division, K.R.Pete, petitioner No.2 was initially appointed on 13.08.1984 in the office of the Assistant Executive Engineer, No.27, Hemavathi Left Bank Canal, Jakkanahalli and petitioner No.3 was initially appointed on 26.10.1984 in the office of the Assistant Executive Engineer, No.24, Hemavathi Left Bank Canal, Pandavapura, and from the date of appointment, till their retirement, they have been working continuously as daily



wage employees without any break in the service. The further case of the petitioners is that in the year 2001, the petitioners along with similarly situated persons submitted a joint representation dated 07.11.2001 (Annexure-A) seeking regularization of their services. As no action was taken, petitioner No.1 submitted another representation dated 24.10.2001 vide Annexure-B. Pursuant thereto, Respondent No.7-Executive Engineer recommended the case of the petitioner No.1 to Respondent No.6-Superintendent Engineer, vide letter dated 27.02.2008 (Annexure-C), for consideration of regularization. Subsequently, their case was considered under the Karnataka Daily Wage Employees Welfare Act, 2012 (for short, "the Act, 2012"). Thereafter, on 20.06.2017, the petitioners submitted another joint representation along with individual representations stating that instead of extending benefits under the Act, 2012, their services ought to be regularized in the same manner as other similarly placed employees, whose services were



regularized as per order dated 14.08.2014 at Annexure-E. Pursuant thereto, Respondent No.7 issued the impugned endorsements dated 15.07.2017 at Annexures-K, L and M rejecting the request of the petitioners. Aggrieved thereby, the present writ petition is filed.

3. Learned counsel appearing for the respondents submitted that upon verification of the representations submitted by the petitioners, their case was duly considered. It is contended that since the petitioners were found eligible for regularization under the Act, 2012, their services have been regularized in accordance with the provisions of the said Act, 2012. Therefore, their request for regularization has been rejected.

4. Heard the learned counsel for the parties and perused the material on record, including the impugned endorsements.

5. Upon perusal of the impugned endorsements, it is evident that the respondents have not considered the case



of the petitioners for regularization as sought in their representation dated 20.06.2017 vide Annexure-J. The endorsements merely state that since the petitioners' case has already been considered under the Act, 2012, their request for regularization stands rejected. There is no reason forthcoming in the endorsements not to consider the representations of the petitioners. The impugned endorsements are passed without application of mind and they are not speaking orders. Hence, the impugned endorsements are liable to be quashed. Accordingly, the following order is passed:

ORDER

- a) The writ petition is disposed of.
- b) The impugned endorsements dated 15.07.2017 issued by respondent No.7 vide Annexures-K, L and M, are hereby quashed.
- c) The petitioners are permitted to submit an additional representation enclosing all the necessary



documents and recent judgments rendered by this Court as well as Apex Court on similar issue, within two weeks from date of receipt of the certified copy of this order.

d) If such a representation is submitted, respondent Nos.5 to 7 are directed to consider the earlier representation as well as the additional representation, in accordance with law, within a period of three months from the date of receipt of the additional representation, keeping in view of the judgments of the Apex Court in the case of ***Jaggo vs. Union of India and Others*** reported in **2024 SCC OnLine SC 3826** and ***Dharam Singh and Others vs. State of U.P. and Another*** reported in **2025 SCC Online SC 1735**.

Sd/-
(H.T. NARENDRA PRASAD)
JUDGE