



CNR: KAHC010170002026

NC: 2026:KHC:50682
WP No. 7660 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 7660 OF 2026 (GM-R/C)

BETWEEN:

1. SMT. JAYAMMA
AGED ABOUT 49 YEARS
D/O VEERABHADRASWAMY
W/O GOVINDHRAJ
R/AT NO.121, CHAMUNDI HILL,
MYSORE-570010.
2. SMT. SUMA V.
AGED ABOUT 43 YEARS
D/O VEERABHADRASWAMY
W/O MAHESH
R/AT NO.121, CHAMUNDI HILL,
MYSORE-570010.



(BY SRI. GIRISH KUMAR B M.,ADVOCATE)

...PETITIONERS

AND:

1. THE DEPUTY COMMISSIONER
MYSORE DISTRICT,
MYSORE-570001.
2. THE EXECUTIVE OFFICER,
CHAMUNDESHWARI TEMPLE,
CHAMUNDI HILLS,
MYSURU-570010



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3. SMT. MEGHANA N.
AGED ABOUT 30 YEARS,
W/O LATE RAJU V.
R/AT NO. 121, KURUBARA BEEDI,
CHAMUNDI HILL, MYSORE TALUK,
MYSORE-570010

...RESPONDENTS

(BY SRI. HARISHA A S, AGA FOR R1 & R2
SRI. A .G. GURURAJ, ADVOCATE FOR R3)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE
CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE
NATURE OF CERTIORARI OR ANY OTHER WRIT NO. QUASHING
THE NOTIFICATION/ORDER BEARING
DVS1.SIBANDI.CR.24/2025-26 DATED 12.01.2026 PASSED BY
THE 1ST RESPONDENT VIDE ANNEXURE-L.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present writ petition is filed seeking for the following
reliefs:

*" (a) Issue a Writ in the nature of Certiorari or any other
Writ the Notification/Order quashing bearing No.
DVS1.SIBANDI.CR.24/2025-26 dated 12.01.2026 passed
by the 1st Respondent vide Annexure-L;*

*(b) Direct the Respondent No. 1 to transfer the hereditary
post of Sannidhi Kavalugara and puja to the devotees in
Sri Chamundeshwari Temple, Chamundi Hill, Mysore to
the Petitioners herein;*

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MONNAPPA POONACHA



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(c) Pass such other order or grant such other relief/s as this Hon'ble Court deems fit to grant, in the facts and circumstances of the case"

2. The factual matrix in a nutshell in the present writ petition is that the petitioner's father (Sri. Veerabadrswamy) was appointed to the post of Sannidhi Kavalugara on 18.1.1990 (hereinafter referred to as 'the said post') (Annexure-B to the writ petition). The said post is stated to be a hereditary post. The father of the petitioner served in the said post until the year 2010.

3. It is the case of the petitioner that a Panchayat Parikath/Partition dated 05.10.2010 was executed (Annexure-C to the writ petition), consequent to which the said post was permitted to be discharged by one Sri V. Raju in terms of which the notification dated 30.07.2011 (Annexure-E to the writ petition) was issued. The said Sri V. Raju is stated to have died on 22.09.2025, consequent to which, the first petitioner made requisition dated 25.10.2025 (Annexure- G to the writ petition) to the second respondent seeking transfer of the said post to the petitioner. Smt. Nagarathnamma wife of Sri. Veerabhadraswamy also submitted a requisition dated

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03.11.2025 (Annexure-J to the writ petition) seeking transfer of the said post. The first respondent - Deputy Commissioner vide notification/order dated 12.01.2026 (Annexure-L to the writ petition) transferred the said post to the third respondent without affording an opportunity of hearing to the petitioner.

4. It is clear and forthcoming from the above mentioned factual matrix that rival contentions have been made to the Deputy Commissioner to be appointed to the said post.

5. A Co-ordinate Bench of this Court in the case of ***Sri. C.L.Parashivamurthy Vs. State of Karnataka and Others***¹ held that first respondent - Deputy commissioner is required to consider all the rival contentions before the orders are passed.

6. The said order dated 12.01.2026 is passed by the Deputy Commissioner under Section 25B(6)(iii) of the Karnataka Hindu Religious Institution Charitable and Endowment Act, 1997.

7. In view of the aforementioned, the order bearing No.DVS1.SIBANDI.CR.24/2025-26 dated 12.01.2026 is set aside. The petitioner and the third respondent shall appear before the first respondent on 28.09.2026 at 3.00 pm,

¹ WP No.13460/2021 dated 03.09.2024



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consequent to which the first respondent shall conduct the proceedings in accordance with law after affording an opportunity of hearing to the rival parties and pass orders in accordance the law. All the contentions on the merits of the matter are kept open to be decided by the first respondent.

8. The writ petition is partly allowed in the aforementioned terms.

9. It shall open to the first respondent to also consider and pass appropriate orders as to which of the rival parties shall continue to carry out the post and discharge the duties of the post until adjudication of the matter by the first respondent.

10. Pending IAs., if any, also stand disposed of.

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MONNAPPA POONACHA

**(C.M. POONACHA)
JUDGE**

Vmb
List No.: 1 Sl No.: 41