



CNR: KAHC010202622026

NC: 2026:KHC:51021
WP No. 9025 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 17TH DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV
WRIT PETITION NO. 9025 OF 2026 (S-REG)

BETWEEN:

1. R SUKANYA
W/O GADACHAPPA PARAMANATTI,
AGED ABOUT 59 YEARS,
TYPIST,
CITY MUNICIPAL COUNCIL,
CHIKKABALLAPURA - 562 101
2. C.E SRINIVAS
S/O ERAPPA,
AGED ABOUT 53 YEARS,
WATER SUPPLY HELPER,
CITY MUNICIPAL COUNCIL,
CHIKKABALLAPURA - 562 101
3. SRINIVAS RAJU
S/O RAMA RAJU,
AGED ABOUT 51 YEARS,
WATER SUPPLY HELPER
CITY MUNICIPAL COUNCIL
CHIKKABALLAPURA - 562 101
4. FAKRUDDIN
S/O MOHAMED HUSSAIN
AGED ABOUT 47 YEARS,
WATER SUPPLY HELPER
CITY MUNICIPAL COUNCIL
CHIKKABALLAPURA - 562 101
5. NASIR AHMED
S/O NAZEER AHMED

Digitally
signed by
VIDYA G R
Location:
HIGH
COURT OF
KARNATAKA



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AGED ABOUT 48 YEARS,
WATER SUPPLY HELPER
CITY MUNICIPAL COUNCIL
CHIKKABALLAPURA - 562 101

6. S.N RAMANJINI
S/O NARASIMHAIAH
AGED ABOUT 49 YEARS,
WATER SUPPLY HELPER
CITY MUNICIPAL COUNCIL
CHIKKABALLAPURA - 562 101

7. P N RAMACHANDRAPPA
S/O K R NARASIMHAPPA
AGED ABOUT 61 YEARS,
RETD JUNIOR ENGINEER
CITY MUNICIPAL COUNCIL
CHIKKABALLAPURA - 562 101

R/AT WARD NO. 18
KANDAVARA BAGILU
CHIKKABALLAPURA - 562 101

8. S. MANJUNATH,
S/O K.SRINIVASA,
AGED ABOUT 48 YEARS,
WATER SUPPLY HELPER,
CITY MUNICIPAL COUNCIL,
CHIKKABALLAPURA - 562 101.

9. RAMAKRISHNA K.H. @
RAMAKRISHNAPPA K.H.,
S/O HUCHCHAPPA,
AGED ABOUT 51 YEARS,
WATER SUPPLY HELPER,
CITY MUNICIPAL COUNCIL,
CHINTHAMANI - 563 125,
CHIKKABALLAPURA DISTRICT



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10. RAMACHANDRA REDDY. V.,
S/O VENKATARAYAPPA,
AGED ABOUT 54 YEARS,
WATER SUPPLY HELPER,
CITY MUNICIPAL COUNCIL,
CHINTHAMANI - 563 125
CHIKKABALLAPURA DISTRICT.
11. RAMESH. M.L.,
S/O LAKSHMANA REDDY,
AGED ABOUT 52 YEARS,
WATER SUPPLY HELPER,
CITY MUNICIPAL COUNCIL,
CHINTAMANI - 563 125
CHIKKABALLAPURA DISTRICT.
12. SHIVANNA. C.,
S/O MUNICHINNAPPA,
AGED ABOUT 50 YEARS,
WATER SUPPLY HELPER,
CITY MUNICIPAL COUNCIL,
CHINTHAMANI - 563 125,
CHIKKABALLAPURA DISTRICT.
13. L. MANJUNATHA,
S/O V.LAKSHMAIAH,
AGED ABOUT 57 YEARS,
WATER SUPPLY HELPER,
CITY MUNICIPAL COUNCIL,
CHINTHAMANI - 563 125,
CHIKKABALLAPURA DISTRICT.
14. ANNAYAPPA D
S/O DASAPPA,
AGED ABOUT 53 YEARS,
WATER SUPPLY HELPER,
CITY MUNICIPAL COUNCIL,
CHINTHAMANI - 563 125,
CHIKKABALLAPURA DISTRICT.



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15. G.A. CHANDRAPPA,
S/O AADEPPA,
AGED ABOUT 58 YEARS,
WATER SUPPLY HELPER,
CITY MUNICIPAL COUNCIL,
GOWRIBIDANUR - 561 208,
CHIKKABALLAPURA DISTRICT.

16. M. BALARAM,
S/O MUDDAIAH,
AGED ABOUT 58 YEARS,
WATER SUPPLY HELPER,
CITY MUNICIPAL COUNCIL,
GOWRIBIDANUR - 561 208,
CHIKKABALLAPURA DISTRICT.

17. B.A. NARASIMHA MURTHY,
S/O ASHWATHAPPA,
AGED ABOUT 61 YEARS,
RETD. BILL COLLECTOR,
CITY MUNICIPAL COUNCIL,
GOWRIBIDANUR - 561 208,
CHIKKABALLAPURA DISTRICT.

R/AT NEAR KOTE SREE RAMA TEMPLE,
GOWRIBIDANUR - 561 208,
CHIKKABALLAPURA DISTRICT.

... PETITIONERS

(BY SRI. MURALIDHAR K B., ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY ITS SECRETARY TO GOVERNMENT,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKASA SOUDHA,
BENGALURU - 560 001.



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2. SECRETARY TO GOVERNMENT
DEPARTMENT OF PERSONNEL AND
ADMINISTRATIVE REFORMS,
VIDHANA SOUDHA,
BENGALURU - 560 001.
3. THE DIRECTOR,
MUNICIPAL ADMINISTRATION DEPARTMENT,
9TH FLOOR, VISHVESHWARAIHA TOWERS,
BENGALURU - 560 001.
4. THE DEPUTY COMMISSIONER,
CHIKKABALLAPURA DISTRICT,
CHIKKABALLAPURA - 562 101.

... RESPONDENTS

(BY SMT. ASHWINI PATIL, AGA)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASHING THE IMPUGNED LETTER BEARING NO.NA.AA.E 52 TMS 2024 (E) DATED 08.10.2024 OF THE 1ST RESPONDENT (ANNEXURE -E) HOLDING THE SAME AS ILLEGAL, BAD IN LAW AND ARBITRARY ONE IN THE INTEREST OF JUSTICE, IN SO FAR AS THE PETITIONERS ARE CONCERNED AND ETC.

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

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



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ORAL ORDER

The petitioners who are employees working in different capacities at City Municipal Councils coming under the jurisdiction of the administrative supervision and control of respondent nos.3 and 4 have filed the present petition seeking for setting aside of the communication at Annexure-'E' dated 08.10.2024, which is in the nature of an order. In terms of the communication at Annexure-'E', the Secretary, Department of Urban Development addressing communication to the Directorate of Municipal Administration has opined that the question of regularization of employees after deleting them from the notified list in the Karnataka Daily Wage Employees Welfare Act, 2012 ['Welfare Act, 2012' for brevity] does not arise. While making such communication, reference is made to certain earlier instances. Consequent to setting aside of the said communication at Annexure-'E', the petitioners have sought for issuance of a direction to the respondents to regularise their services in terms of the



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proposal dated 19.06.2023 with effect from the date of completion of ten years of daily wage service.

2. The facts relevant for disposal of the present writ petition are that the petitioners have been working on daily wage basis in City Municipal Councils of Chikkaballapura, Chinthamani, Gowribidanur and Chikkaballapura District in Group-'C' and Group-'D' Posts. Their appointment falls within the time period of 1992-1995.

3. The petitioners came to be notified under the provisions of Welfare Act, 2012. In terms of the Notification found at Annexure-'A', the serial numbers of the petitioners in Annexure-'A' is as follows:-

City Municipal Council, Chikkaballapura

Sl. No.	Name of the petitioner	Serial number in Annexure-'A'
1	R. Sukanya	1
2	C.E.Srinivas	6
3	Srinivas Raju	13
4	Fakruddin	15
5.	Nasir Ahmed	18



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6.	S.N.Ramanjini	20
7.	P.N.Ramachandrappa	24
8.	S.Manjunath	27

City Municipal Council, Chintamani

Sl. No.	Name of the petitioner	Serial number in Annexure-'A'
9	Ramakrishna K.H. @ Ramakrishnappa K.H. S/o Huchchappa	41
10	Ramachandra Reddy. V	44
11	Ramesh M.L. S/o Lakshmana Reddy	46
12	Shivanna. C S/o Munichinnappa	48
13.	L. Manjunatha	50
14.	Annayappa. D	51

City Municipal Council, Gowribidanur

Sl. No.	Name of the petitioner	Serial number in Annexure-'A'
15.	G.A.Chandrappa	75
16.	M. Balaram	74
17.	B.A.Narasimha Murthy	68

4. Annexure-'A' has different details, including date of birth, date of joining service on daily basis, educational qualification at the time of joining, the Post against which they are working, the present Post, the



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duties being performed against the present Post in the Cadre, the period of service rendered and the emoluments/pay-scale.

5. This notification was made on 04.09.2014. Subsequently, a communication was addressed by the Secretary of Urban Development to the Directorate of Municipal Administration on 07.06.2023 at Annexure-'B' to the effect that many of the employees were notified under the Welfare Act, 2012 and have completed ten years and are eligible for regularisation in terms of the observations made by the Apex Court in **Secretary, State of Karnataka v. Umadevi(3) and others¹ [Umadevi]**, and accordingly, their names could be left out from the notification of the Welfare Act, 2012 and their case for regularization may be examined. By observing so, the details were called, directions were sought to be obtained from the concerned local Authorities. Such communication

¹(2006) SC 1806



is found at Annexure-'B' dated 07.06.2023. Subsequently, the Director of Municipal Administration has addressed a communication to all the Project Directors in the Deputy Commissioner's Office calling for necessary details.

6. Subsequently, the Deputy Commissioner, by communication dated 19.06.2023 at Annexure-'D' has forwarded an appropriate communication with details of such of the employees who are eligible for regularisation in terms of the judgment in ***Umadevi (supra)*** from amongst those who were notified under the Welfare Act, 2012. Necessary communication has been addressed to the Director of Municipal Administration by the Deputy Commissioner in terms of Annexure-'D' dated 19.06.2023. The Table enclosed alongwith the communication has all the details of employees with specific reference to the requirement in ***Umadevi (supra)*** with remarks as regards each of the heads. In such list, the petitioners are found as follows:-



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City Municipal Council, Chikkaballapura

Sl. No.	Name of the petitioner	Serial number in Annexure-'A'
1	R. Sukanya	1
2	C.E.Srinivas	4
3	Srinivas Raju	7
4	Fakruddin	8
5.	Nasir Ahmed	9
6.	S.N.Ramanjini	11
7.	P.N.Ramachandrappa	3
8.	S.Manjunath	15

City Municipal Council, Chintamani

Sl. No.	Name of the petitioner	Serial number in Annexure-'A'
9	Ramakrishna K.H. @ Ramakrishnappa K.H. S/o Huchchappa	12
10	Ramachandra Reddy. V	15
11	Ramesh M.L. S/o Lakshmana Reddy	17
12	Shivanna. C S/o Munichinnappa	19
13.	L. Manjunatha	21
14.	Annayappa. D	22

City Municipal Council, Gowribidanur

Sl. No.	Name of the petitioner	Serial number in Annexure-'A'
15.	G.A.Chandrappa	9
16.	M. Balaram	8
17.	B.A.Narasimha Murthy	2



7. The Table enclosed alongwith such communication has details including the notified post referred to under the Notification under the Welfare Act, 2012, the availability of sanctioned posts as on the date of appointment, possession of educational qualification as was required by way of eligibility, the period of having worked for ten years as on 10.04.2006, whether service rendered was under protection of Court orders.

8. Insofar as the petitioners are concerned, the findings recorded, viz., the requirements in ***Umadevi (supra)*** are in the affirmative. Subsequent to such details having been forwarded to the Director of Municipal Administration, the same has been forwarded to the Secretary of Urban Development Department and upon consideration has addressed a communication to the Director of Municipal Administration in terms of the impugned communication which is in the nature of an order at Annexure-'E' dated 08.10.2024 communicating



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that the consideration of the case of petitioners as forwarded cannot be made, in light of the employees already being the employees notified under the Welfare Act, 2012. It is further observed that once notified, such employees cannot be considered for regularisation. It is also observed that once the employees are notified under provisions of the Welfare Act, 2012, the question of leaving out such employees from such notified list and regularisation would not be permissible. Such communication at Annexure-'E' dated 08.10.2024 is challenged in the present petition.

9. Learned Additional Government Advocate appearing for the respondents would submit that the regularisation would have the effect of casting financial burden and the nature of appointment being irregular, the same cannot be regularized.

10. The detailed narration of facts are not in dispute. In terms of Annexure-'A', the employees have



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been notified under provisions of the Welfare Act, 2012. This would indicate that their entry as daily wages is neither in dispute nor controverted. Insofar as the details forwarded by the Deputy Commissioner to the Directorate of Municipal Administration at Annexure-'D', the details as against each of the employee clearly indicate an affirmative finding of fulfilment of all the criteria in the case of ***Umadevi (supra)***. The Government nor the Authorities can have any say contrary to the findings or facts recorded in the Table annexed and at Annexure-'D' which would be conclusive.

11. As mentioned above, the Table annexed alongwith Annexure-'D' has columns as regards each of the criteria of ***Umadevi (supra)***, and all of which is found in the affirmative with a specific finding that the names of employees in the Table are those who are notified under the Welfare Act, 2012 and whose case could be considered for regularisation. In terms of the communication at



Annexure-'E' dated 08.10.2024, the only ground made out was that, once the employees are notified under the provisions of the Welfare Act, 2012, there is no provision to delete the employees from such list and consider their case for regularisation.

12. It would be necessary to notice that the Welfare Act, 2012 was introduced with the objective of protecting certain minimum conditions of work insofar as employees are concerned. Such protection having been extended by notification of the employees under the provisions of such Welfare Act, 2012, the minimum protection of conditions of service was guaranteed, however, that by itself cannot be a ceiling that would prevent any further relief to the petitioners. The Welfare Act, 2012 Act provides minimum guarantees and that by itself cannot result in denial of any higher benefit. Such observation is also made by the Division Bench in Writ Appeal No.100389/2026 c/w CCC



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No.100127/2026. The observations made at para-38 reads as follows:-

"38. It is also to be noticed that the provisions of the Welfare Act, 2012 seek to ensure minimum protection to the employee. If that were to be so, an employee who is granted such statutory protection cannot, merely on that account, be denied a higher relief otherwise permissible in law."

13. It must be noticed that similar view has been taken by the Division Bench of this Court in the State of Karnataka and Others v. K. Dodda Arasaiah and Another²

The observations made at para-7 reads as follows:-

*"7. Learned AGA also contends that since the writ petitioner had already availed benefits under the Karnataka Daily Wage Employees Welfare Act, 2012, (for short, '**the Act**') the question of regularization cannot be considered. We notice that the said question has also been decided as against the appellant on several occasions by this Court itself. The extending of the benefits under the Act cannot be a ground for rejecting a request for regularizing in service if the necessary pre-requisites for such regularization are satisfied."*

² Writ Appeal No.1882/2024 - decided on 27.11.2025



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14. It is also necessary to notice that the order passed in the said Writ Appeal was assailed before the Apex Court in SLP(C) No.023662/2026 [Diary No.18625/2026] and the Apex Court has refused to interfere with such findings in the Writ Appeal and in fact, consequently as pointed out by learned counsel for the petitioners, the employees concerned have also had the benefit of regularisation.

15. In light of the above and having held that the extension of benefits under the Welfare Act, 2012 would by itself not limit extending higher relief of regularisation which on fact has been found fit to be extended to the petitioners in terms of the recommendation at Annexure-'D'.

16. The communication at Annexure-'E' dated 08.10.2024 being contrary to law, requires to be set aside and is accordingly set aside with a further direction to the



respondent nos.3 and 4 to consider and pass necessary orders for regularisation.

17. The Court stops short of passing positive orders. Though facts presented in the petition referred to above make out a favourable case for regularisation, we leaving it to the Authorities to pass orders. It is made clear that by passing orders for regularisation by way of considering the case of petitioners as forwarded in terms of Annexure-'D' dated 19.06.2023, the Authorities are not to traverse beyond the legal aspects discussed above. Such decision on regularization to be made in terms of the discussion above is to be concluded within a period not later than three months from the date of receipt of certified copy of today's order. .

Accordingly petition is ***disposed of.***

**SD/-
(S SUNIL DUTT YADAV)
JUDGE**

VGR