



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 11033 OF 2026 (GM-PDS)

BETWEEN:

1. MR. REHMAN ALI BAIG
SON OF LATE ILYAS ALI BAIG
AGED ABOUT 42 YEARS
RESIDING AT NO.3695,
WARD NO.15, NOORI CIRCLE,
MEHBOOB NAGAR,
RAMANAGARAM - 562 159.

...PETITIONER

(BY SRI. SHANKAR H S, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT
DEPARTMENT OF FOOD AND CIVIL SUPPLIES,
VIKASA SOUDHA,
DR.B.R.AMBEDKAR VEEDI,
BENGALURU - 560 001.
2. THE DEPUTY DIRECTOR
DEPARTMENT OF FOOD AND CIVIL SUPPLIES
BENGALURU
SOUTH DISTRICT - 562 159.

...RESPONDENTS

(BY SMT. AMARVATHY H R, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF



CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, QUASHING THE IMPUGNED ENDORSEMENT BEARING NO.ಬೆಂದೆ/ಉನಿ/ಆಹಾರ/ಅನುಕಂಪ/59/2025-26 DATED 23.03.2026 (ANNEXURE-F) ISSUED BY THE SECOND RESPONDENT AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The petitioner in the captioned writ petition calls in question the legality and correctness of the endorsement dated 23.03.2026 issued by the second respondent, produced at Annexure-F, whereby the application submitted by the petitioner seeking transfer of the Fair Price Shop licence has been rejected. The rejection is founded on two grounds, namely, that as on the date of death of the original licence holder – Chamegowda, he had crossed the age of 65 years, and that the petitioner, being the son of the deceased licence holder, had not completed SSLC.



2. This Court is constrained to observe that the reasons assigned by the second respondent are wholly untenable in light of the settled position of law. It is no longer res integra that while considering transfer of a Fair Price Shop licence on compassionate grounds to Class-I legal heirs, insistence on educational qualification, such as completion of SSLC, is not a sine qua non. Equally, the age of the deceased licence holder at the time of his death does not constitute a disqualification so as to deny consideration of the claim of the legal heir.

3. Despite the consistent pronouncements of this Court on the aforesaid aspects, the second respondent has proceeded to reiterate the very grounds which have been disapproved by this Court, thereby rendering the impugned endorsement legally unsustainable. In an identical fact situation, this Court in W.P.No.5401/2025 has categorically held that neither the absence of SSLC qualification on the part of the legal heir nor the fact that the deceased licence holder had crossed 65 years would



disentitle the legal heir from seeking transfer of licence. The present case stands squarely covered by the said decision.

4. In that view of the matter, this Court is of the considered opinion that the impugned endorsement at Annexure-F cannot be sustained and is liable to be set aside. Consequently, the petitioner is entitled to a direction to the second respondent to reconsider and process his application in accordance with the law laid down by this Court.

5. For the foregoing reasons, this Court proceeds to pass the following:

ORDER

- i. The writ petition is ***allowed***;
- ii. The impugned endorsement dated 23.03.2026 issued by the second respondent, vide Annexure-F, is hereby quashed;



iii. The second respondent is directed to consider the case of the petitioner for transfer of Fair Price Shop authorisation, strictly in terms of the law laid down by this Court in W.P.No.5401/2025 and other binding precedents, without insisting upon SSLC qualification or treating the age of the deceased licence holder as a disqualification;

iv. The aforesaid exercise shall be completed within a period of three (3) months from the date of receipt of a certified copy of this order.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE