



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. 12896 OF 2022 (S-RES)

BETWEEN:

P.S SUDHA
W/O C.U KARIAPPA
AGED ABOUT 59 YEARS
TYPIST, BENGALURU URBAN ZILLA PANCHAYAT
NEAR BANASHANKARI TEMPLE
KANAKAPURA ROAD, BENGALURU-560 070.

...PETITIONER

(BY SMT. S AISHWARYA, ADVOCATE FOR
SRI. RAJESWARA P N., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY
RURAL DEVELOPMENT AND
PANCHAYAT RAJ DEPARTMENT
BENGALURU-560 001.
2. CHITRADURGA ZILLA PANCHAYATH
CHITRADURGA DISTRICT
CHITRADURGA-577 501.
REP. BY ITS CHIEF EXECUTIVE OFFICER.
3. BENGALURU ZILLA PANCHAYATH
BENGALURU DISTRICT, BENGALURU 560 001.
REP. BY ITS CHIEF EXECUTIVE OFFICER

...RESPONDENTS

(BY SRI.G RAMESH NAIK, AGA FOR R1:
SRI. PRAVEEN, ADVOCATE FOR R2:
SRI K M PRAKASH, ADVOCATE FOR R3)

Digitally signed by
MALATHI CHALUVA
IYENGAR

Location: HIGH
COURT OF
KARNATAKA



THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI QUASHING THE ENDORSEMENT BEARING NO.SAM.GRA.AAP.103 K.S.S.2018(E) DATED:5.4.2021 ISSUED BY THE R-1 AT ANNEXURE-A AND CONSEQUENTLY 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 petitioner has called in question the endorsement dated 05.04.2021 issued by respondent No.1 vide Annexure-A, whereby the request of the petitioner to reckon the period from 1994 to 2002 for the purpose of pension and all other service benefits was rejected.
2. The case of the petitioner is that she was initially appointed as a daily wage employee in the Public Works Department. Subsequently, by Official Memorandum dated 27.02.1993, issued by respondent No.2-Zilla Panchayat,



Chitradurga, she was appointed on a contract basis for a period of six months as a Typist at a monthly pay of Rs.950/-, which was extended from time to time. Thereafter, the petitioner's services were regularized by order dated 08.02.2002. She retired from the service on 30.06.2022. During her service, she submitted a representation dated 20.06.2007 requesting financial benefits for the period from 1994 to 2002, including pension. However, the said representation was not considered. Therefore, the petitioner approached this Court in W.P.No.41719/2017. This Court, by order dated 17.11.2020, directed respondent No.1 to consider the petitioner's representation in accordance with law. Pursuant to this direction, respondent No.1 issued the impugned endorsement dated 05.04.2021, rejecting the petitioner's claim. Being aggrieved by the same, the petitioner is before this Court.

3. Learned counsel for the petitioner contended that the petitioner had been working on a contract basis since



1984, and thereafter, by Official Memorandum dated 27.02.1993, respondent No.2 appointed her as a Typist on a six-month contract, which was extended from time to time. Since the petitioner had been working from 1984, her service was regularized by order dated 08.02.2002. Since the service rendered by the petitioner from 1994 to 2002 has not been considered for financial benefits, the petitioner submitted a representation. The respondent has issued the impugned endorsement directing the petitioner to submit documents relating to continuous service on daily wages from 1984 to 1992-1993 as well. Since her services were regularized in 2002 on the basis that she was working on contract from 1993, the requirement to produce documents pertaining to the period from 1984 is wholly immaterial. Therefore, she contended that the impugned endorsement was passed without application of mind and contrary to the directions issued by this Court. Hence, she sought for allowing the writ petition.



4. Per contra, the learned Additional Government Advocate submitted that since the petitioner claims to have worked from 1984 on daily wage basis, she must produce documents to substantiate the same. Therefore, respondent No.1 has sought for documents to prove that she was working from 1984.

5. Heard the learned counsel for the parties and perused the material on record.

6. It is not in dispute that by Official Memorandum dated 27.02.1993, respondent No.2 continued the services of the petitioner as a Typist on a contract basis, which was extended from time to time. Thereafter, her services were regularized by order dated 08.02.2002 (Annexure-E). The only grievance of the petitioner is that financial benefits for the period from the date of the Official Memorandum issued by respondent No.2 i.e. from 1993 until her services were regularized in 2002 have not been considered. Therefore, she submitted a representation requesting that her service from 1994 to 2002 be



considered for financial benefits. This Court, in W.P.No.41719/2017, disposed of the matter on 17.11.2020 and directed respondent No.1 to consider the petitioner's representation dated 20.06.2007 in accordance with law.

7. I have perused the impugned endorsement at Annexure-A. The main ground for rejection of the petitioner's case is that no documents have been produced to show that the petitioner was working on a daily wage basis from 1984 to 1992-1993. However, the order passed by this Court in W.P.No.31344/1993 disposed of on 11.09.1997 has clearly recorded a finding that the petitioner was working since 1984, and the same has not been denied by the respondent. Even this Court, in W.P.No.3949/1999, disposed of on 05.01.2001, directed the respondent to consider the request of the petitioner for regularization of her service in accordance with law, on the ground that the petitioner had been continuously working



since 1984 on contract, which was also not denied by the respondent.

8. In view of the above, the impugned endorsement has been issued without application of mind and is not a speaking order. Therefore, the endorsement requires to be quashed.

9. Accordingly, I pass the following order:

ORDER

- a) The writ petition is ***allowed***.
- b) The endorsement dated 05.04.2021 issued by respondent No.1 vide Annexure-A is quashed.
- c) The respondent is directed to consider the representation dated 20.06.2007, keeping in view the order of this Court in W.P.No.31344/1993, disposed of on 11.09.1997, as well as W.P.No.3949/1999, disposed of on 05.01.2001, and the order of regularization of the petitioner dated 08.02.2002 vide Annexure-E, within three



months from the date of receipt of certified copy
of this order.

All pending applications, if any, stand disposed of.

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

HA
LIST NO.: 1 SL NO.: 33