



CNR: KAHC010308382026

NC: 2026:KHC:37288
WP No. 14223 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 14223 OF 2026 (S-RES)

BETWEEN:

SRI. MANOHARA NAIK. R
S/O REKHIYA NAIK,
AGED ABOUT 53 YEARS,
R/O SHAKTHI BADAVANE ROAD,
MULLUSOGE, KUSHALNAGAR,
KODAGU DISTRICT-571234

...PETITIONER

(BY SRI. GANAPATI SHRIPAD SHASTRI, ADVOCATE)

AND:

1. COMMISSIONER
DEPARTMENT OF SCHOOL EDUCATION,
NRUPATUNGA ROAD,
BENGALURU-560001.
2. DIRECTOR
(HIGHER EDUCATION)
PUBLIC INSTRUCTION DEPARTMENT,
NRUPATUNGA ROAD,
BENGALURU-560001
3. DEPUTY DIRECTOR
PUBLIC INSTRUCTION DEPARTMENT,
MADIKERI,
KODAGU DISTRICT-571201

Digitally
signed by
KIRAN KUMAR
R

Location:
HIGH COURT
OF
KARNATAKA





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4. BLOCK EDUCATION OFFICER,
SCHOOL EDUCATION DEPARTMENT,
MADIKERI,
KODAGU DISTRICT-571201
5. NARIYANDADA CENTRE
EDUCATION SOCIETY CHEYANDANE,
MADIKERI TALUK,
KODAGU DISTRICT-571212,
REPRESENTED BY ITS PRESIDENT
6. NARIYANDA CENTRE HIGH SCHOOL,
MADIKERI TALUK,
KODAGU DISTRICT-571212,
REPRESENTED BY ITS SECRETARY

...RESPONDENTS

(BY SMT. MAMATHA SHETTY, AGA FOR R1 TO R4
SRI. I M DEVAIAH, ADVOCATE FOR R5 & R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS DIRECTING THE FOURTH RESPONDENT TO PAY SALARY TO THE PETITIONER AS PER MEMORANDUM BEARING NO. G1.DOORU/09/2022-23 DATED 24-02-2026 ISSUED BY THE THIRD RESPONDENT (ANNEXURE - K) TO PETITIONER. ISSUE WRIT OF MANDAMUS DIRECTING THE FOURTH RESPONDENT TO PAY SALARY TO THE PETITIONER DURING THE PERIOD FROM 08-05-2025 TO 14-09-2025 ALSO. ISSUE ANY APPROPRIATE WRIT, ORDER OR DIRECTION IN THE CIRCUMSTANCES OF THE CASE INCLUDING AN ORDER AS TO COSTS TO MEET THE ENDS OF JUSTICE.

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

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI



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ORAL ORDER

1. The petitioner has filed this writ petition seeking for a mandamus directing respondent No.4 to pay the salary to the petitioner as per Memorandum bearing No.G1.Dooru/09/2022-23 dated 24.02.2026 issued by respondent No.3 vide Annexure-K to the petition and also direct respondent No.4 to pay the salary of the petitioner during the period from 08.05.2025 to 14.09.2025.
2. Brief facts leading rise to the filing of this petition are as follows:
3. The petitioner was appointed as a Hindi Teacher in respondent No.6-School, wherein he was promoted as Headmaster later and the said post of Headmaster was approved. A criminal case was registered against the petitioner for offences punishable under Section 354(A), and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 in Crime



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No.1 of 2023 on 10.01.2023. The petitioner was suspended from service. However, the petitioner's suspension was revoked with effect from 10.07.2023. The petitioner submitted a representation to respondent No.5 and respondent No.3 issued a memorandum to respondent No.4 to take steps to release the payment on 16.10.2023 since the petitioner has reported for duty.

4. The petitioner approached this Court in Writ Petition No.17043 of 2025. This Court allowed the writ petition and directed respondent No.4 therein to take steps to release the salary of the petitioner in terms of the direction issued by respondent No.3 therein on 31.01.2024 and directed the Management of respondent No.5 to permit the petitioner to work in the Institution. As respondent No.5-Institution was closed due to shortage of students, the petitioner submitted a representation dated 25.09.2025 to respondent No.3 to depute the petitioner to some



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other school. Meanwhile, the petitioner was acquitted in Special Case (POCSO) No.25 of 2023 vide judgment dated 19.01.2026.

5. Respondent No.2 vide communication dated 31.01.2026 addressed to respondent No.3 to take steps to release the salary and depute the petitioner to other aided / Government School. The petitioner reported for duty as an Assistant Hindi Teacher in Government High School, Murnadu, Madikeri taluk.
6. Respondent No.3 issued a memorandum to respondent No.4 and respondent No.6 informing them to take steps to release the salary of the petitioner as per the order passed by this Court in the aforesaid writ petition. Despite the representation, respondent No.4 has not released the salary of the petitioner. Hence, this writ petition.
7. The respondents filed a statement of objections denying the averments made in the memorandum of



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writ petition, contending that the Government has withdrawn the recognition of the aided high school in which the petitioner was working on 08.05.2025, the Management Board has reported for duty on 15.09.2025 and therefore, it is not possible for the Department to pay salary for the period during which the petitioner worked in the said school, after withdrawal of the recognition. Hence, he prays to dismiss the writ petition.

8. Heard the arguments of the learned counsel for the petitioner and learned Additional Government Advocate for the respondent-State.
9. The petitioner submits that despite an order passed by this Court in Writ Petition No.17043 of 2025, respondent No.4 has not paid the salary. Hence, he submits that the petitioner has submitted a representation to the respondents to release the salary. The respondents have not considered the



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representation nor have passed any order. Hence, on these grounds, he prays to allow the writ petition.

10. *Per contra*, learned Additional Government Advocate submits that the recognition of the Institution was cancelled on 08.05.2025. Despite that, respondent No.5 has permitted the petitioner to work in the said Institution and it is contended that respondent No.4 is not liable to pay the salary after withdrawal of the recognition. Hence, she prays to dismiss the writ petition.

11. Perused the records and considered the submissions of the learned counsel for the parties.

12. It is an undisputed fact that the petitioner had approached this court in W.P. No.17043 of 2025. This Court vide Order dated 22.08.2025 issued a direction to respondent No.4 i.e., the Block Education Officer to take steps to pay the salary to the petitioner in terms of the directions issued by the



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Deputy Director in accordance with law, within 2 months from the date of receipt of a copy of the order.

13. Since there is already a direction issued by this Court to the Block Education Officer to pay the salary, the question of issuing another direction to respondent No.4 to release the salary would not arise. If the order passed in W.P. No.17043 of 2025 is not complied with by the respondents, the petitioner has got an efficacious remedy by way of filing a contempt petition.
14. The learned counsel for the petitioner submits that the petitioner has already filed a contempt petition after filing of this writ petition.
15. As the petitioner has already availed a remedy by way of filing contempt petition, in view of the same, I do not find any grounds to entertain the present writ



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petition, particularly in view of the order passed in the earlier writ petition.

16. Accordingly, I proceed to pass the following order:

ORDER

- (i) The writ petition is ***dismissed***.
- (ii) Liberty is reserved to the petitioner to pursue the contempt proceedings.
- (iii) In view of the dismissal of the writ petition, pending interlocutory applications, if any, do not survive for consideration and are accordingly disposed of.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

RK
List No.: 1 Sl No.: 21