



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 14497 OF 2025 (GM-KSR)

BETWEEN:

1. SRI N HANUMANTHA REDDY
S/O. M. NARAYANA REDDY
AGED ABOUT 71 YEARS
KORAMANGALA CLUB
M. NO. PR 105, NO. 604
15TH CROSS, 15TH A MAIN
SECTOR 4, HSR LAYOUT
BENGALURU-560 102.
2. SRI. P. GOVINDARAJULU
S/O. M. PACHIAPPAN
AGED ABOUT 68 YEARS
KORAMANGALA CLUB
M. NO. PG 046
300, 19TH MAIN, 5TH CROSS
6TH BLOCK, KORAMANGALA
BENGALURU-560 095.
3. SRI. VASUDEVA. L. R.
S/O. L. R. RANGA RAO
AGED ABOUT 58 YEARS
KORAMANGALA CLUB
M. NO. PV 049
SHESHAIAH GARDEN, N.S. PALYA
BTM LAYOUT 2ND STAGE
BENGALURU-560076.
4. SRI. DINESH. R
S/O. RAMACHANDRA. B
AGED ABOUT 49 YEARS

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



KORAMANGALA CLUB
M. NO. PD 057
SYSFORE TECHNOLOGIES P. LTD.
117-120, 80 FEET ROAD
4TH BLOCK, KORAMANGALA
BENGALURU-560034.

5. SRI. L. NAGARAJ
S/O. LAKSHMAIAH
AGED ABOUT 59 YEARS
KORAMANGALA CLUB
M. NO. PN 070
NO. 473/C, 2ND D MAIN
8TH BLOCK, KORAMANGALA
BENGALURU-560 095.
6. DR. BABU REDDY
S/O. ANNUMAPPA
AGED ABOUT 68 YEARS
KORAMANGALA CLUB
M. NO. PB 008
NO. 814, 17TH F, 1ST CROSS
6TH BLOCK, KORAMANGALA
BENGALURU-560 095.

...PETITIONERS

(BY SRI: JAYAKUMAR S PATIL, SR. ADV FOR
SRI: G SUKUMARAN.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY THE PRINCIPAL SECRETARY
DEPARTMENT OF CO-OPERATIVE
M.S. BUILDING
DR. B. R. AMBEDKAR VEEDHI
BENGALURU-560 001.
2. THE DISTRICT REGISTER OF CO-OPERATIVE
SOCIETIES



3RD DIVISION
BENGALURU URBAN DISTRICT
NO.1, SAHAKARA SOUDHA
3RD MAIN ROAD, MARGOSA ROAD
MALLESWARAM
BENGALURU-560003.

3. THE KORAMANGALA CLUB
(REGISTERED UNDER REGISTERED SOCIETIES ACT)
REPRESENTED BY ITS SECRETARY
NO.CA 17, 6TH CROSS, 6TH BLOCK
KORAMANGALA
BENGALURU-560 095.

...RESPONDENTS

(BY SRI: MOHAMMED JAFAR SHAH, AGA FOR R1 & R2;
SRI: R KIRAN, ADV FOR R3)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT 1 AND 2 TO CONSIDER THE PETITION AND REPRESENTATION SUBMITTED BY THE PETITIONERS AT ANNEXURE-A DATED 23.4.2025 AND ANNEXURE-G DATED 29.4.2025 AND PASS APPROPRIATE ORDERS IN TERMS OF SECTION 25 OF THE KARNATAKA SOCIETIES REGISTRATION ACT 1961 AGAINST THE RESPONDENT NO.3; DIRECT THE CONTESTING TO PAY THE COSTS OF THESE PROCEEDINGS AND GRANT SUCH OTHER RELIEF OR RELIEFS AS THIS HONBLE COURT DEEM FIT TO GRANT IN THE CIRCUMSTANCES OF THE CASE, IN THE INTEREST OF JUSTICE AND ETC.,

THIS WP, COMING ON FOR FINAL HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ



ORAL ORDER

1. Petitioners are before this Court seeking for the following reliefs:

"a) Issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondent 1 and 2 to consider the petition and representation submitted by the petitioners at Annexure-A dated 23.04.2025 and Annexure-G dated 29.04.2025 and pass appropriate orders in terms of Section 25 of the Karnataka Societies Registration Act, 1961 against the Respondent No.3.

b) Direct the contesting to pay the costs of these proceedings and grant such other relief or reliefs as this Hon'ble Court deem fit to grant in the circumstances of the case, in the interest of justice."

2. The grievance of the petitioners is that the representation which had been submitted by them on 23.04.2025 at Annexure-A and 29.04.2025 at Annexure-G to initiate action under Section 25 of the Karnataka Societies Registration Act, 1961 has not been considered and orders passed and it is in that background, the petitioners are before this Court seeking for the aforesaid reliefs.
3. The Society being the Club against whom the action was sought to be initiated was also arrayed as a party and as such notice was issued to the said Club.



4. Sri R Kiran, learned counsel for respondent No.3 submits that there cannot be a mandamus issued directing the Registrar to initiate action. The non-initiation by itself establishes that the Registrar has refrained from initiating action. When he has refrained from initiating action, no direction could be issued by this Court, is a submission.
5. In this regard, he relies upon the decision in ***Bangalore Grain Merchants Association Vs The District Registrar for Societies and Another¹***, paragraph 14, which is reproduced hereunder for easy reference:

"14. There is a fallacy underlying the argument advanced by the learned Counsel for the Petitioner. Neither the contextual interpretation nor any canon of construction would countenance the argument of the learned Counsel. The argument of the learned Counsel ignores the crucial fact that suo-motu power conferred by the first limb of Sub-section can come into play independent of the power confided to the Registrar in two specific situations. The three relevant clauses of Section 25(1) have to be read harmoniously and to effectuate the objective of the provision. The ambit and plenitude of the power vested in the Registrar to act on his own motion cannot be curtailed and crippled by any "a priori" notion that it stands excluded where the members less than the requisite percentage become complainants. There is no taboo against a member or members less than 1/3rd approaching the Registrar with a petition and the Registrar taking cognizance of the same and proceeding to make an

¹ ILR 2001 KAR 766



enquiry on the basis of information laid before him. As already observed, the information forming the basis for exercise of suo-motu power may come from any source including a single member of the society. The exercise of such power by the Registrar cannot be controlled by the fact that the complaint is made by less than 1/3rd of the members. If the number of members petitioning to the Registrar is 1/3rd or more, as already discussed, the Registrar is bound and obliged to initiate an enquiry. He has no option but to act and direct the enquiry. But, if the number is less the Registrar can very well refrain from holding the enquiry, if he feels that the enquiry is not warranted. His refrain may be on account of many factors - allegations being vague or ex-facie incredible or contrary to the informations on record or the allegations being unrelated to the constitution, working or financial condition of the Society. If the Registrar decides not to move in the matter on the basis of the complaint lodged by less than 1/3rd of the members, the Court cannot compel him to institute an enquiry except in some rare cases such as total non-application of mind to the tell-tale facts. It is only to emphasize the distinction between the discretionary and obligatory nature of duty of the Registrar to hold an enquiry that the second and third modes are specifically enjoined by the statute. Otherwise, the opening clause itself empowering the Registrar to hold enquiry on his own motion, would have been sufficient to take care of all other contingencies including the application by members. The suo-motu exercise of power does not get excluded merely because less than 1/3rd of members of the society make a complaint and invite action of the Registrar. That was what exactly held by the Division Bench, speaking through Rama Jois, J., in Muslim Co-operative Bank's case. We share the same view as was expressed in that case."

6. Heard Sri Jayakumar S Patil, learned Senior counsel for the petitioner, Sri Mohammed Jafar Shah, learned AGA



for respondent Nos.1 and 2 and Sri R Kiran, learned counsel for the respondent No.3.

7. Whenever any representation is submitted to an authority like the Registrar of Societies, it is but required for the said Registrar to consider the same and pass necessary orders within a reasonable period of time, either accepting or rejecting the representation made.
8. In the present matter, the representation submitted in the month of April, 2025 has been pending for more than a year without any orders being passed by the Registrar. Such pendency cannot be said to be reasonable.
9. The opposition on the part of Sri R Kiran, learned counsel appearing for respondent No.3 is that there cannot be direction issued by this Court to cause an enquiry under Section 25 of the Karnataka Societies Registration Act, 1961.
10. There cannot be any dispute about the said submission inasmuch as, the initiation or otherwise of enquiry is at the discretion of the Registrar. Of course, when an order



is passed by the Registrar, it would always be amenable to a challenge before the appropriate forum, which would be considered on the basis of ground raised in the said challenge. This Court at present is not directing the Registrar to initiate any enquiry, but would only be directing the Registrar to consider the representations and pass necessary orders at the earliest, since there is already a long lapse of time which has occurred.

12. The Registrar, while considering the said representation, would be entitled to consider such other documents which have a bearing on the matter as may be available with them.
13. In that view of the matter, this Court passes the following:

ORDER

- i) Writ petition is ***partly allowed.***
- ii) A mandamus is issued directing respondent No.2 to consider the representations of the petitioner dated 23.04.2025 at Annexure-A and 29.04.2025 at Annexure-



G and pass necessary orders in terms of Section 25 of the Karnataka Societies Registration Act, 1961, within a period of 30 days from the date of receipt of a copy of this order.

iii) It is made clear that, this Court has not expressed any opinion on the entitlement of the petitioner. The same would have to be independently evaluated by the Registrar while passing necessary orders.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

BGN
List No.: 1 Sl No.: 48