



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF JUNE, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO. 1488 OF 2026 (S-RES)

BETWEEN:

SRI. NAGABHUSHAN D. GOUDAR,
S/O DUNDAPPA S. GOUDAR,
AGED ABOUT 31 YEARS,
RESIDING AT GURUBASAVA NILAYA,
SECTOR 62, PLOT NO. S-69/70,
SANJIVINI BADAVANE,
NAVANAGAR, BAGALKOT,
KARNATAKA - 587 103.

...APPELLANT

(BY SRI. PRITHVEESH M K., ADVOCATE)

AND:

1. KARNATAKA POWER CORPORATION
LIMITED KPCL.,
REPRESENTED BY ITS
MANAGING DIRECTOR,
NO. 82, SHAKTI BHAVAN,
RACE COURSE ROAD, BENGALURU,
KARNATAKA - 560 001.
2. THE DIRECTOR (HR),
KARNATAKA POWER CORPORATION LIMITED,
NO. 82, SHAKTI BHAVAN,



RACE COURSE ROAD,
BENGALURU,
KARNATAKA - 560 001.

3. KARNATAKA EXAMINATIONS AUTHORITY (KEA),
REPRESENTED BY ITS EXECUTIVE DIRECTOR.
18TH CROSS, SAMPIGE ROAD,
MALLESHWARAM,
BENGALURU,
KARNATAKA - 560 012.

...RESPONDENTS

(BY SRI. AJAY J. NANDALIKE, ADVOCATE FOR C/R1)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO CALL FOR RECORDS PERTAINING TO THE ORDER DATED:02.04.2026 PASSED IN WP NO.4356/2026 SET ASIDE THE ORDER DATED:02.04.2026 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT IN WP NO.4356/2026 AND CONSEQUENTLY ALLOW THE SAID WRIT PETITION NO.4356/2026 FILED BY THE APPELLANT-PETITIONER, AS PRAYED FOR AND ETC.,

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING,
THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF



ORAL JUDGMENT

(PER: HON'BLE MRJUSTICE D K SINGH)

The present intra Court appeal has been filed impugning the judgment and order dated 02.04.2026 passed by the writ Court in WP.No.4356/2026 filed by the appellant.

2. The petitioner was an applicant in respect of a Recruitment Notification dated 03.08.2017 issued by the Karnataka Power Corporation Limited. Vide the said Notification 622 posts of Assistant Engineer (Electrical) Assistant Engineer (Mechanical), Junior Engineer (Mechanical), Chemist, Chemical Supervisor etc., were advertised for making selection.

3. The petitioner has studied B.E Mechanical Engineering passed out from Visvesvaraya Technology University, Belagavi in the year 2017. One of the requisite condition for the writ petitioner to apply for the post of Assistant Engineer was the qualification provided in clause



8 of the said recruitment notification, which is passing the Kannada language test. The candidates who did not study Kannada as one of the subject in SSLC are required to pass Kannada language test and the candidates who pass Kannada language test would be eligible for the selection process. The petitioner did not study Kannada language in SSLC but he had studied Kannada in PUC. The petitioner in his understanding thought that he was not required to write Kannada language Test. Though he has proficiency in Kannada language. The petitioner has studied in English medium school in the Kannada as one of the language in school from Ist to VIIIth std. After the recruitment test got conducted by the Karnataka Power Corporation Limited, the merit list was published on 30.01.2026 (Annexure-F). In the said merit list, petitioner's name finds place in Sl.No.4. However, in the document verification exercise, it was found that the petitioner had neither passed SSLC examination with Kannada language as a subject nor he had written the Kannada language test and therefore, in



final selection list his name was not found for appointment for the post of Assistant Engineer. Being aggrieved by non-inclusion of his name in the final selection list, the petitioner approached this Court by filing the WP.No.4356/2026 with the following prayers:

"a) Issue a Writ of Mandamus directing the Respondents to consider the representation dated:06.02.2026 of the petitioner vide Annexure-H and consequently consider petitioner's study of Kannada at the Pre-University Course (PUC) level and /or his KPSC Kannada Language Test certificate as sufficient compliance with the language requirement of the 2017 Recruitment Notification.

b) In the Alternative, issue a direction to the Respondents to permit the petitioner to appear for a remedial Kannada Language Test, as provided for in the notification, by issuing a specialized hall ticket and conducting the same within a stipulated time frame.

c) Issue a Writ of Mandamus directing Respondent No.1 and 2 to include the petitioner's name in the final selection list for the post of Assistant Engineer (Mechanical)-NHK Cadre, based on his merit score of 65.671, and issue an appointment letter subject to other eligibility criteria."

4. The writ Court, by the impugned judgment has dismissed the writ petition on the ground that the petitioner did not have the essential qualification of having passed out SSLC examination with Kannada language, as



a subject nor had he written the Kannada language test as prescribed under the Notification, inviting applications for various posts including post of Assistant Engineer.

5. Learned counsel for the appellant submits that the whole purpose of test in Kannada language, as prescribed in clause 8 of the recruitment notification for a candidate who has not passed out SSLC with one subject or Kannada language is to see that whether the candidate is proficient in the Kannada language to interact in his organization and outside persons in local language. It was submitted that he has already studied Kannada language from class Ist to VIIIth and because of transfer of his father he could not study Kannada language as a subject in SSLC. But in PUC again when his father got transferred back, he had studied Kannada language as a subject. He has passed PUC exam with Kannada language as a subject certainly he could have passed SSLC examination of Kannada language as a subject. Despite this, his candidature was rejected on the ground that he had not



passed the SSLC examination with one subject of Kannada language though he had passed the PUC examination with one subject in Kannada language. His candidature has been rejected despite the fact that he stands at Serial No.4 in the merit list.

6. He further submits that the Corporation Service Rules i.e., Recruitment, Probation, Promotion and Cadre Rules, 1986, do not have statutory force as the respondent-Corporation is a Government company. These rules were incorporated by the Company in 1986 for their internal matters without having any statutory force. The submission is that though the Rules 16.4 and 16.5 of the said Rules, provide that a person could not be eligible for appointment to a post in the cadre of Assistant Engineer or Electrical Engineer, unless he has passed such Kannada language test as prescribed by the Corporation or he has studied Kannada language as one of the subjects in SSLC, but the rigour of the rule can always be soften or done



away with by the Managing Director in appropriate case(s).

7. Taking shelter on the aforesaid Rule, the petitioner's candidature has rejected though his proficiency in Kannada language and he has studied Kannada language as one of the subjects in PUC examination is not in dumber. The rigour of Rules should not be applied in the manner to oust meritorious candidate in the selection process. The petitioner is otherwise eligible as he is proficient in Kannada language.

8. Learned counsel appearing for the respondent-Corporation vehemently submits that having passed SSLC examination in Kannada language as one of the subjects is an essential qualification and passing PUC examination with Kannada language as one of the subjects, is not equivalent to passing the SSLC examination with Kannada language as one of the subjects. It is further submitted that the Rules are not statutory, but the Corporation has



made the Rules where are applied for services under the Corporation. Therefore, the Corporation is bound by the Rules.

9. It is therefore, submitted that since the petitioner did not have the essential qualification of passing SSLC examination with Kannada language as one of the subjects, and he has not written the Kannada language test, he is not eligible for the said post.

10. He therefore, submit that there is no error in the impugned judgment and order passed by the learned Single Judge and the writ appeal may be dismissed.

11. We have considered the submissions.

12. No one can deny that the qualification of passing the SSLC examination with one subject as Kannada language is for the purposes to know whether the candidate is proficient with the Kannada language so that with colleagues and other staff and general public he



would interact in local language. The requirement of passing SSLC examination as one subject in Kannada language has nothing to do with his competence in engineering in as much as he has stood at Sl.No.4 in the merit list after the recruitment examination. The rigour of the Rule is such that the requirement of candidate having studied the said SSLC or equivalent qualification with one subject in Kannada language has been made as an essential qualification.

13. We are of the view the rigour of the said rule may be diluted by the Managing Director in exercise of the powers conferred on him under Rule 19 of the aforesaid Rules. The merit should always be respected and the preference should be give to the meritorious candidates.

14. We therefore, dispose of this writ appeal with direction to the Managing Director to consider whether in exercise of powers conferred on him by virtue of Rule 19 of the aforesaid Rules, whether the rigour of having



qualification of SSLC or equivalent examination with Kannada language as one of the subject can be related in the present case. In the case of the petitioner/appellant, he has passed PUC examination as one subject in Kannada language. Further, to test his proficiency, the Managing Director in his discretion may also conduct language efficiency test for him and if the Managing Director decides to relaxed the rigour of Rule 4.5, considering the merit of the petitioner he may be offered an appointment on a vacant post without disturbing any candidate already appointed. We therefore, direct the Managing Director to take an informed decision in the exercise of his powers under Rule 19.

15. We are passing the present order giving direction to the Managing Director to exercise his discretion under Rule 19 only in the facts and circumstances of the present case looking at the merit of the petitioner and it is not a precedent for future.



With the aforesaid direction and observation the writ appeal stands ***disposed of***.

The Managing Director should take an informed the decision within a period of one month from today.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

PK
List No.: 1 Sl No.: 7; ct-vn