



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF JANUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 17819 OF 2024 (S-RES)

BETWEEN:

SMT MEENKASHI
W/O K S NAGAKUMAR
AGED ABOUT 62 YEARS
R/AT NO. 252, 11TH WARD
A BLOCK, BAZAR ROAD
K R NAGAR TALUK
KALENAHALLI, MYSORE - 571602.

...PETITIONER

(BY SRI. SHARATH S GOWDA., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP BY ITS CHIEF SECRETARY
VIDHAN SOUDHA
B R AMBEDKAR VEEDHI
BANGALORE - 560001.
2. THE STATE OF KARNATAKA
REP BY THE PRINCIPAL SECRETARY
DEPARTMENT OF URBAN DEVELOPMENT
VIKASA SOUDHA, B R AMBEDKAR VEEDHI
BENGALURU - 560001.
3. DIRECTORATE OF MUNICIPAL ADMINISTRATION
REP. BY ITS SECRETARY
DR B R AMBEDKAR ROAD
9TH AND 10TH FLOOR
VISHVESHWARAIHA TOWER
BENGALRUU 560 001.

Digitally signed by
MALATHI CHALUVA
IYENGAR

Location: HIGH
COURT OF
KARNATAKA



4. THE DEPUTY COMMISSIONER
MYSURU DISTRICT LEVEL OFFICERS COMPLEX
SIDDARTHA NAGARA
MYSURU - 570011.
5. THE PROJECT DIRECTOR
DISTRICT URBAN DEVELOPMENT CELL
O/O THE DEPUTY COMMISSIONER
MYSURU DISTRICT
MYSURU - 5700001.
6. THE CHIEF OFFICER
TOWN MUNICIPAL COUNCIL
K R NAGAR, MYSURU DISTRICT
MYSURU - 576102.

...RESPONDENTS

(BY SRI.G RAMESH NAIK, AGA FOR R1 TO R5:
SRI PRAKASH M PATIL, ADVOCATE FOR R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT AUTHORITIES TO CONSIDER THE CASE OF PETITIONER AS DEEMED REGULARIZED AND DISBURSE RETRIAL AND CONSEQUENTIAL SERVICE BENEFITS INCLUSIVE OF PENSIONARY BENEFITS AND ETC.

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

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

This writ petition is filed under Articles 226 & 227 of the Constitution of India, seeking the following relief:



"Issue writ in the nature of mandamus or any other appropriate writ or direction, directing the respondent authorities to consider the case of petitioner as "Deemed Regularized" and disburse retiral and consequential service benefits inclusive of pensionary benefits."

2. The case of the petitioner is that she was appointed as a Kindergarten Teacher on a temporary basis in the year 1988. Until she attained the age of superannuation, she worked in the office of the fourth respondent. Even though the petitioner worked for more than 10 years, her service was not regularized. Hence, she submitted a representation dated 31.05.2024, vide Annexure-R. Since the said representation was not considered by the respondents, the petitioner has approached this Court.

3. The learned counsel appearing for the petitioner submitted that similarly situated persons had approached this Court by filing writ petitions in W.P. No.50876/2019 and connected matter. By an order dated 21.10.2020, this



Court directed the regularization of the services of the petitioners therein. Thereafter, the State filed a writ appeal in W.A. No.629/2021. A Division Bench of this Court dismissed the said writ appeal, thereby confirming the order passed by the learned Single Judge. Subsequently, the petitioners filed a contempt petition in C.C.C. No.299/2021, pursuant to which their services were regularized. Hence, it was contended that the present petitioner is similarly situated and is entitled to regularization of her services.

4. The learned counsel also relied upon the judgments of the Apex Court in ***DHARAM SINGH AND OTHERS vs. STATE OF U.P. AND ANOTHER*** (Civil Appeal No.8558/2018) and ***JAGGO vs. UNION OF INDIA AND OTHERS*** (Civil Appeal No.5580/2024), and contended that the petitioner's case ought to be considered in terms of the principles laid down in the said judgments.



5. He further contended that even though the State has filed objections stating that the petitioner's appointment was not against a vacant post, the Apex Court, in **Jaggo (supra)**, has held as follows:

"13. The claim by the respondents that these were not regular posts lacks merit, as the nature of the work performed by the appellants was perennial and fundamental to the functioning of the offices. The recurring nature of these duties necessitates their classification as regular posts, irrespective of how their initial engagements were labelled. It is also noteworthy that subsequent outsourcing of these same tasks to private agencies after the appellants' termination demonstrates the inherent need for these services. This act of outsourcing, which effectively replaced one set of workers with another, further underscores that the work in question was neither temporary nor occasional."

6. In view of the above, this writ petition stands disposed of directing respondent Nos. 3 and 4 to consider the representation of the petitioner dated 31.05.2024 vide Annexure-R, keeping in view of the judgment of this Court



in WP No.50876/2019 and connected matter, disposed of on 21.10.2020 and the judgments of the Apex Court in the cases of **JAGGU (supra)** and **DHARAM SINGH (supra)**, in accordance with law, as expeditiously as possible, not later than four months from date of receipt of a copy of this order.

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

CM
LIST NO.: 1 SL NO.: 40