



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF JANUARY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT APPEAL NO. 1060 OF 2024 (GM-RES)

BETWEEN:

1. SHRI KIKKERI KRISHNA MURTHY
S/O LATE B.S. NARAYANA BHATTA
AGED ABOUT 58 YEARS
R/O NO.22/6, EAST ANJANEYA TEMPLE ROAD
OPP. BUGLE ROCK PARK
BASAVANAGUDI
BENGALURU - 560 004

...APPELLANT

(BY SRI SUBRAMANYA R., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF KANNADA AND CULTURE
VIKASA SOUDHA
DR. B.R. AMBEDKAR VEEDHI
BENGALURU - 560 001
REPRESENTED BY ITS
PRINCIPAL SECRETARY
2. THE STATE OF KARNATAKA
DEPARTMENT OF PERSONNEL AND
ADMINISTRATIVE REFORMS (POLITICAL)

Digitally
signed by
VEERENDRA
KUMAR K M
Location:
High Court of
Karnataka



NO.605, 6TH FLOOR, MULTI STORIED BUILDING
1ST BLOCK, DR. B.R. AMBEDKAR VEEDHI
BENGALURU - 560 001
REPRESENTED BY UNDER SECRETARY

3. THE DIRECTORATE OF KANNADA
AND CULTURE
KANNADA BHAVAN
J.C. ROAD, BENGALURU - 560 002
4. AKHILA KARNATAKA SUGAMA SANGEETHA
SAMSTHEGALA OKKUTA (REGD)
OFFICE AT NO 26, 1ST CROSS
SHAMANNA GARDEN
SRINIDHI TEMPLE ROAD
CHUNCHAGHATTA, BENGALURU - 560 062
REPRESENTED BY ITS PRESIDENT
MR. MRUTHYUNJAYA DODDAWADA

...RESPONDENTS

(BY SMT. NAMITHA MAHESH B.G., AGA FOR R-1 TO 3)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO ALLOW THIS WRIT APPEAL, SET-ASIDE THE IMPUGNED ORDER OF THE KARNATAKA HIGH COURT IN WRIT PETITION NO.19801/2022 DATED 24/04/2024 AND CONSEQUENTLY ALLOW THE WRIT PETITION.

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



CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL JUDGMENT

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. For the reasons stated in the affidavit accompanying the application - I.A.No.1/2025, the same is allowed and the delay of 43 days in filing the appeal is condoned.
2. The appellant has filed the present appeal impugning an order dated 24.04.2024 [**the impugned order**] passed by the learned Single Judge of this Court in W.P.No.19801/2022 (GM-RES). The learned Single Judge has dismissed the said writ petition as being devoid of any merit.
3. The appellant is an acclaimed singer. He had filed the writ petition impugning a Government Order dated 25.09.2022, whereby the State Government of Karnataka has directed that the State Anthem '*Jaya Bharata Jananiya Tanujate*' be rendered in a specific tune/raaga as composed by late Sri Mysore Ananthaswamy, who was an acclaimed artist.



4. The appellant is not aggrieved by the decision of the State Government directing that the Anthem '*Jaya Bharata Jananiya Tanujate*', written by the national poet Shri. Dr. Kuvempu, be considered as a State Anthem (Naadageethe). The appellant also does not question the requirement that the State Anthem be sung in certain functions. The appellant's grievance is only regarding the direction, that the Anthem be sung in a particular tune/raaga.

5. The State Government by an order dated 09.09.2021 constituted a committee under the chairmanship of a well known singer Smt. H.R.Leelavathi, to consider the scope of singing of the State Anthem, state wide, in a specific tune and within a stipulated time. The committee made its recommendations and pursuant thereto, the State Government has passed an order dated 25.09.2022, which reads as follows:

"GOVERNMENT ORDER NO:
SIAASUE 168 RASA 2022, BENGALURU, DATED: 25-09-2022

As narrated in the Preamble, it is ordered that complete text of the State Anthem has to be used for singing by Incorporating the tune of Sri Mysore Ananthaswamy and the same has to be sung without there being any aalaap and repetition, within a time period of Two Minutes and Thirty Seconds (2.30 Minutes)."



6. The learned counsel for the appellant contended that the said order violates Article 19(1)(a) of the Constitution of India inasmuch as it requires that the State Anthem be sung in a particular tune. He submitted that the appellant being an artist is now compelled to sing the State Anthem in that tune. He also questioned the merits of the recommendation of the committee on the ground that the tune in question was made the original composer only for two stanzas of the Naadageethe.

7. It is material to note that before the learned Single Judge, it was also contended on behalf of the appellant that the impugned order is unsustainable on the ground that it has been issued without any statutory power. However, no such argument is advanced before this Court.

8. The learned Single Judge had noted that the appellant is not precluded from singing the 'Naadageethe' *in any raaga* of his choice except at specific functions and places, where the State Anthem is required to be sung. The learned Single Judge also noted that the State Anthem is required to be sung in a specific raaga in schools and other State and public functions. Clearly if a State Anthem is required to be rendered, it is necessary that the



same be rendered in a specific tune/raaga and also be of a specified duration. It is obvious that the anthem cannot be of varying duration and be rendered in varying tunes.

9. The State Government has passed an order after considering the decision of the Committee which admittedly comprised of accomplished persons.

10. We are unable to accept that the said decision violates Article 19(1)(a) of the Constitution of India. We find no ground to interfere with the impugned order. The appeal is accordingly dismissed.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(C.M. POONACHA)
JUDGE**

KMV
List No.: 2 Sl No.: 20