



CNR: KAHC010407482024

NC: 2026:KHC:42129
WP No. 19411 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 19411 OF 2024 (S-RES)

BETWEEN:

SRI. K N VEERESH
S/O LATE NARASHIMAIAH,
AGED ABOUT 53 YEARS,
R/AT NO.308,
THANISHKA NILAYA,
SADASHIVANAGAR,
TEJUR ROAD AND POST,
HASSAN – 573 219

...PETITIONER

(BY SRI. VAISHALI HEGDE, ADVOCATE)

AND:

Digitally
signed by
SHILPABAI S
Location:
HIGH
COURT OF
KARNATAKA

1. STATE OF KARNATAKA
REP BY ITS SECRETARY,
DEPARTMENT OF TECHNICAL EDUCATION,
TANTRIKA SHIKSHANA BHAVAN,
PALACE ROAD,
BANGALORE – 560 001
2. DIRECTORATE OF TECHNICAL EDUCATION
REPRESENTED BY ITS DIRECTOR,
DEPARTMENT OF
TECHNICAL EDUCATION,
TANTRIKA SHIKSHANA BHAVAN,
PALACE ROAD,
BANGALORE – 560 001
3. MALNAD COLLEGE OF ENGINEERING
REPRESENTED BY ITS PRINCIPAL



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P.B. NO.21, SALAGAME ROAD,
HASSAN - 573 202

4. SMT. H R KUMUDA
W/O A C DIVAKARA,
AGED ABOUT 51 YEARS,
SUPERINTENDENT,
ADMINISTRATIVE OFFICE,
MALNAD COLLEGE OF ENGINEERING
HASSAN - 573 202
5. SRI B R RAVI
S/O B R RAMANNA,
AGED ABOUT 54 YEARS,
SUPERINTENDENT, ADMINISTRATIVE OFFICE,
MALNAD COLLEGE OF ENGINEERING,
HASSAN - 573 202

...RESPONDENTS

(BY SRI.G.RAMESH NAIK, AGA FOR R1 & R2;
SRI.P.N.MANMOHAN, ADVOCATE FOR R3;
SRI.G.S.VENKAT SUBBARAO, ADVOCATE FOR R4 & R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE R1 AND R2 TO ACT ON THE PROPOSAL DATED 08.08.2019 SENT BY R3 COLLEGE BEARING NO.MCE/EST(1)2019-20/1044 ANNEXURE-N AND GRANT APPROVAL TO THE PROMOTION OF THE PETITIONER FROM THE CADRE OF STENOGRAPHER TO THE CADRE OF SUPERINTENDENT WITH EFFECT FROM 01.08.2018 ALONG WITH ALL CONSEQUENTIAL BENEFITS IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.,

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

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



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ORAL ORDER

Petitioner has filed this writ petition seeking the following reliefs:

- (i) *Issue a Writ of Mandamus or Order or Directions directing the 1st and 2nd Respondents to act on the proposal dated 08/08/2019 sent by 3rd Respondent college vide ANNEXURE 'N' bearing No-MCE/EST(1) 2019-20/1044 and grant approval to the promotion of the Petitioner from the cadre of Stenographer to the cadre of Superintendent with effect from 01/08/2018 along with all consequential benefits, in the interest of justice and equity.*
- (ii) *Issue a Writ of Mandamus or such other appropriate Writ or Order or Direction directing 2nd respondent to consider the representation dated 19/06/2024 vide ANNEXURE 'V4' and accord promotion to the Petitioner in the vacancy arising at 20th roster point in the post of Superintendent as per C & R Rules, in the interest of justice and equity.*
- (iii) *Issue a Writ of Mandamus or such other appropriate Writ or Order or Direction*



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directing 1st and 2nd respondents to make appropriate corrections in the seniority list pertaining to the post of Superintendent by treating the promotions granted to 4th and 5th Respondent as against the 21st and 22nd roster points, in the interest of justice and equity.

- (iv) Issue a Writ of Mandamus or such other appropriate Writ or Order or Direction directing 1st and 2nd respondents to grant all consequential benefits that are accrued to the petitioner arising out of promotion to the cadre of Superintendent w.e.f. 01/08/2018, in the interest of justice and equity.*
- (v) Issue such other Writ or Order or Direction as deemed fit under the facts and circumstances of the case, in the interest of justice and equity.*

2. The brief facts leading to filing of this writ petition are as follows:

2.1 The petitioner was appointed to the post of Typist at respondent No.3 - College vide order dated 26.03.2003. The Scrutiny Committee of respondent No.3 -



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College in its meeting held on 16.12.2008 considering the eligibility of the petitioner for promotion to the post of Stenographer, the Committee recommended the name of the post of Stenographer since the petitioner had completed five and half years of service in the cadre of Typist and is qualified to hold the post of Stenographer. The recommendation produced by the petitioner is marked as Annexure-D.

2.2 The respondent No.3 vide communication dated 10.02.2009 had sought for approval for according the promotions to the various posts in the non-teaching cadre. Respondent No.2 vide order dated 18.05.2009 granted an approval for according the promotion to the various non-teaching posts. Respondent No.2 has approved the promotion of the petitioner to the post of Stenographer of respondent No.3-College. The respondent No.3-College vide its order dated 19.05.2009, promoted the petitioner to the post of Stenographer with effect from 16.12.2008.



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Respondent No.2 vide Notification dated 26.03.2007 issued Cadre and Recruitment Rules for various posts in the Department of Technical Education. It is contented that the post of Superintendent for Cadre and Recruitment Rules is to be filled up only by way of promotion from the cadre of First Division Assistant and Stenographers in the ratio of 19:1. Every 20th vacancy in the cadre of Superintendent is to be filled by promotion from the cadre of Stenographer. The respondent No.3 – College sent a proposal for the promotion of the petitioner to the post of Superintendent vide Annexure-N.

2.3 Despite sending the proposal of the petitioner by respondent No.3-College, respondent No.2 did not consider the representation vide Annexure-V4 and requested to promote the petitioner in the vacancy arising at 20th roster point in the post of Superintendent as per Cadre and Recruitment Rules. Respondent No.2 did not



consider the representation. Hence, this writ petition is filed.

3. Heard learned counsel for the petitioner and learned Additional Government Advocate.

4. Learned Additional Government Advocate submits that if reasonable time is granted, the respondent No.2 will consider the representation vide Annexure-V4 and also recommendation made by respondent No.3 vide Annexure-N and pass appropriate orders in accordance with law.

5. In view of the aforesaid submission made by learned Additional Government Advocate, the writ petition is ***disposed of*** directing respondent No.2 to consider the proposal forwarded by respondent No.3 and also to consider the representation of the petitioner vide Annexure-V4 and pass appropriate orders in accordance with law within a period of 15 days from the date of receipt of copy of this order.



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6. In view of disposal of the main petition, pending I.A.No.1/2025 does not survive for consideration. Accordingly, the same is disposed of.

Sd/-
(ASHOK S.KINAGI)
JUDGE

MDS
List No.: 1 Sl No.: 36