



CNR: KAHC010417852026

NC: 2026:KHC:37376
WP No. 18888 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 18888 OF 2026 (EDN-RES)

BETWEEN:

ANAANTHSHREE FORUM
NO.56, VISHWESHWARAPURA,
BASAVANAGUDI, BENGALURU 560004
REPRESENTED BY ITS DIRECTOR
B.S. ANURADHA
REGISTERED UNDER SECTION 50 OF COMPANY ACT

...PETITIONER

(BY SRI. SAGAR G NAHAR., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF SCHOOL EDUCATION AND
LITERACY, M.S. BUILDING,
DR. AMBEDKAR VEEDHI 560001.
BENGALURU
2. BLOCK EDUCATION OFFICER
BENGALURU SOUTH-3,
BTM LAYOUT,
BENGALURU-560029.

...RESPONDENTS

(BY SMT. RASHMI RAO, HCGP FOR R1
SRI. RAJENDRA KUMAR SUNGAY, ADVOCATE FOR R2 (VK
NOT FILED)
SRI. S B TOTAD, ADVOCATE FOR P'SD RESPONDENT ON
IA 1/26)

Digitally signed
by KIRAN
KUMAR R.
Location: HIGH
COURT OF
KARNATAKA



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A. ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION QUASHING THE NOTICE BEARING NO AA2/A.POO.PRA.SHA /04/2025-26 DATED 16/06/2026 ISSUED BY THE RESPONDENT NO.2 PRODUCED AS ANNEXURE-A B. ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENTS NOT TO INTERFERE WITH THE FUNCTIONING OF THE PETITIONER INSTITUTION AND NOT TO DISCONTINUE OR CLOSE THE PETITIONER INSTITUTION. C. DECLARE THAT THE RESPONDENTS CANNOT DIRECT CLOSURE OR DISCONTINUANCE OF THE PETITIONER INSTITUTION FOR THE ACADEMIC YEAR 2026-27 IN THE ABSENCE OF THE MANDATORY NOTICE CONTEMPLATED UNDER SECTION 105 OF THE ACT. D. PASS ANY SUCH OTHER ORDER OR DIRECTION AS THIS HON'BLE COURT DEEMS FIT IN THE FACTS AND CIRCUMSTANCES OF THE CASE, IN THE INTERESTS OF JUSTICE AND EQUITY.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

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

ORAL ORDER

The petitioner filed this writ petition seeking the following reliefs:

- "a. *Issue a Writ of Certiorari or any other appropriate Writ, Order or Direction quashing the Notice bearing No AA2/A.POO.PRA.SHA /04/2025-26 dated 16/06/2026 issued by the Respondent No.2 produced as ANNEXURE-A;*
- b. *Issue a Writ of Mandamus directing the Respondents not to interfere with the functioning of*



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the Petitioner Institution and not to discontinue or close the Petitioner Institution;

- c. Declare that the Respondents cannot direct closure or discontinuance of the Petitioner Institution for the Academic Year 2026-27 in the absence of the mandatory notice contemplated under Section 105 of the Act;*
- d. Pass any such other order or direction as this Hon'ble Court deems fit in the facts and circumstances of the case, in the interests of justice and equity."*

2. Brief facts leading rise to the filing of this petition are as follows:

2.1. On 04.06.2026, the State Government, under the notification, extended the time to register a private institution if it is not registered. Respondent No.2 issued the impugned show-cause notice dated 16.06.2026 calling upon the petitioner to submit a reply why the Institution should not be closed. It is also contended that, the petitioner-Company's Director visited the office of Respondent No.2 seeking time to apply for registration of



the Institution. The action of the respondents in issuing the show-cause notice is in violation of Proviso to amended Rule 5 of the Karnataka Educational Institution (Classification, Regulation and Prescription of Curricula, etc.,) (Amendment) Rules, 2018 (**'Rules of 2018'** for short). Hence, prays to allow the writ petition.

3. Heard the arguments of learned counsel for the petitioner and learned HCGP for respondent No.1, learned counsel for respondent No.2 and learned counsel for proposed respondent in IA No.1/2026.

4. Learned counsel for respondent No.2 submit that, the impugned notice is a show-cause notice indicating that every private body of persons desiring to establish and maintain an educational institution imparting pre-primary, primary, secondary and higher secondary education or any part thereof shall own or have on lease for a minimum period of thirty years following minimum contiguous extent of land for the building and playground of the educational institution with permission from relevant



authorities to use for educational purposes. Hence, the writ petition filed by the petitioner is not maintainable.

5. Learned HCGP for respondent No.1-State submits that, the petitioner has not submitted reply to the impugned show-cause notice. If the petitioner submits a reply to the show-cause notice, the respondent-State will consider the reply and pass appropriate order in accordance with the Rules of 2018.

6. Perused the records and considered the submissions of the learned counsel for the parties.

7. The petitioner has submitted an application for registration of the Institution. The respondents, instead of considering the application for registration, issued a show-cause notice calling upon the petitioner that why the petitioner-Institution should not be closed.

8. The petitioner, without submitting a reply to the show-cause notice, has filed this petition. The writ petition filed by the petitioner challenging the show-cause notice is



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not maintainable in view of the proposition of law laid down by the Hon'ble Apex Court in the case of ***Commissioner of Central Excise, Haldia Vs. Krishna Wax Private Limited***¹. In view of the law laid by the Hon'ble Apex Court in the case of ***Krishna Wax Private Limited*** (supra), the writ petition challenging mere show-cause notice is not maintainable and liable to be dismissed.

9. In view of the above discussion, the writ petition is ***dismissed***.

10. A liberty is reserved to the petitioner to submit a reply to notice dated 16.06.2026 vide Annexure-A within eight days from today, thereafter, the respondents are directed to consider the reply and pass an appropriate order after giving opportunity of personal hearing to the petitioner and impleading proposed respondent on or before 31.07.2026.

¹ 2019 SCC OnLine SC 1470



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11. All the contentions of the parties are kept open.

12. In view of dismissal of the petition, pending
IA(s), if any, do not survive for consideration and
accordingly, shall stand disposed of

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

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List No.: 1 Sl No.: 12