



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 19136 OF 2026 (GM-PDS)

BETWEEN:

1. SMT. M. MALLIKA,
AGED ABOUT 54 YEARS,
W/O.LATE C.NAGEGOWDA,
RESIDING AT NO.90, III CROSS,
LOKANAYAKA NAGAR, METAGALLI POST,
MYSORE TOWN, TALUK AND DISTRICT - 570 016
...PETITIONER
(BY SRI. KESHAVA CHANDRA S.P., ADVOCATE FOR
SRI. SHIVARAMU H.C.,ADVOCATE)

AND:

1. STATE OF KARNATAKA,
REPRESENTED BY ITS PRINCIPAL SECRETARY
TO GOVERNMENT,
DEPARTMENT OF FOOD AND CIVIL SUPPLIES,
VIKAS SOUDHA, DR.B.R.AMBEDKAR VEEDHI,
BENGALURU - 560 001.
2. THE JOINT DIRECTOR OF FOOD AND CIVIL
SUPPLIES,
DEPARTMENT OF FOOD CIVIL SUPPLIES AND
CONSUMER AFFAIRS,
DC OFFICE, NAYARBAD
MYSORE DISTRICT,
MYSORE - 570 010

Digitally signed
by SWEETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



3. THE COMMISSIONER FOR FOOD AND CIVIL
SUPPLIES,
5TH FLOOR, MARKETING FEDERATION BUILDING,
CUNNINGHAM ROAD,
BANGALORE - 560 052.

...RESPONDENTS

(BY SRI. PANANI A.H., AGA FOR R-1 TO 3)

THIS WP IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO-QUASH THE IMPUGNED
ORDER DATED 28.04.2026 PASSED BY THE SECOND
RESPONDENT IN HIS ORDER NO. JA NII
MY/MY/NAGARA/FPS/03/2025-26 AT ANNEXURE-B AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Learned AGA accepts notice for respondents No.1 to
3.
2. The petitioner is before this Court seeking for the
following reliefs.

*i) Issue a Writ of Certiorari or similar writ or order or
direction to quash the impugned order dated
28.04.2026 passed by the second respondent in his*



order No.1a Nii MY/My/Nagara/FPS/03/2025-26 at Annexure-B;

ii) Issue Writ of Mandamus to respondent No.2 to transfer Authorization in favour of the petitioner and provide login forthwith without seeking any permission from the third respondent in terms of the orders dated 18.04.2023 and 13.12.2024 passed by this Ho'ble Court in WP.No.7010/2023 and WP.No.33154/2024 produced at Annexures-C and C1;

iii) Issue any other appropriate writ or order or direction to the respondents deem fit in the circumstance of the case in the interest of justice and equity."

3. The petitioner's husband was granted an authorization to distribute essential commodities to the card holders attached to the shop at Lokanayaka Nagar, III Cross, Metagalli Post, Mysore Town, Taluk and District, in the year 1993-94, which is valid until 31.12.2020. Unfortunately, the husband of the petitioner expired on 17.09.2020 during the time of currency of the license. The son of the petitioner had filed an application on 23.10.2020 which is not considered by the respondents. Subsequently the married daughter of the petitioner filed application on 11.01.2024 which is also not considered. Hence, the



petitioner filed an application on 30.07.2025 seeking for transfer of the authorization on compassionate basis in her name. The said application came to be rejected on 28.04.2026 on the ground that the petitioner has not passed SSLC, it is the said order which is under challenge before this Court.

4. This Court, in a Catena of decision, has held that the applicability of the age limit and or requirement of SSLC qualification is only as regards the initial licensee and not for compassionate appointment. The very said decision would be applicable to the present matter. As such, this Court passes the following order:

ORDER

- i) Writ Petition is **allowed**.
- ii) A Certiorari is issued. The order dated 28.04.2026 passed by the second respondent



No.Ja Nii MY/My/Nagara/FPS/03/2025-26 at
Annexure-B, is quashed.

- iii) A Mandamus is issued, directing respondent No.2
to transfer the Authorization in favour of the
petitioner, *dehors* she not having passed SSLC,
within a period of 15 days from the date of
receipt of a copy of this order, subject to the
petitioner complying with all formalities and
providing indemnity and or affidavits of all other
family members

SD/-
(SURAJ GOVINDARAJ)
JUDGE

MKM
List No.: 1 Sl No.: 5