



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 19153 OF 2026 (GM-KSR)

BETWEEN:

INDIRANAGAR CLUB
A SOCIETY REGISTERED UNDER THE
KARNATAKA SOCIETIES REGISTRATION ACT
HAVING AN OFFICE AT
NO. 3273 HAL 2ND STAGE
BENGALURU- 560 038
REPRESENTED BY ITS SECRETARY
MR M NAGENDRA
S/O LATE MUNIHANUMAPPA
AGED ABOUT 65 YEARS.

...PETITIONER

(BY SRI. UDYA HOLLA., SR. COUNSEL FOR
SRI. AJIT P B., ADVOCATE)

AND:

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA

1. THE DISTRICT REGISTRAR OF SOCIETIES
SECOND ZONE
BANGALORE URBAN DISTRICT
BANGALORE 560003
2. MR. D.P.NARAYAN
S/O DHAGE PUNDALAKA RAO
AGED ABOUT 71 YEARS
R/AT NO. 3762, 13TH B MAIN,
11TH CROSS, HAL 2ND STAGE,
BENGALURU 560008

...RESPONDENTS

(BY SRI. SAMARTH PRAKASH., ADVOCATE FOR
SRI. DEVARAJ., ADVOCATE FOR R2;
SMT. SARITHA KULKARNI., AGA FOR R1)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI QUASHING THE IMPUGNED ORDER/COMMUNICATION DATED 18.06.2026 BEARING NO. DRB-2/SUN.SUN./DURU/01/2026-27 (ANNEXURE A), PASSED BY THE RESPONDENT NO.1 AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The Petitioner is before this Court seeking for the following reliefs:
 - a) *Issue a writ of certiorari quashing the impugned the impugned Order/Communication dated 18.06.2026 bearing No. DRB-2/SUN.SUN./DURU/01/2026-27 (Annexure-A) passed by the 1st Respondent.*
 - b) *Issue any such writ or pass such other orders as deemed fit to be granted in the facts and circumstances of the case to serve the interest of justice and equity and;*
 - c) *For cost.*
2. The petitioner is aggrieved by the order passed by the Deputy Registrar of Societies, respondent No.1, whereby the petitioner was directed to defer the conduct of elections by a period of two months in view of the order dated 11.06.2026 passed in O.S. No.1198 of 2026.
3. The said suit had been instituted by respondent No.2 challenging the amendment proposed to be made to the



bye-laws of the petitioner-Club. In the said proceedings, an application seeking temporary injunction restraining the petitioner-Club from giving effect to the amended bye-laws had been filed. Upon consideration thereof, the Civil Court, by order dated 11.06.2026, granted an order of temporary injunction restraining the petitioner-Club from implementing the amendment, as prayed for in Item No.2 of the application.

4. It is the case of the petitioner that, subsequent to the passing of the aforesaid order, respondent No.2 addressed an e-mail to the petitioner-Club at about 8:02 p.m., calling upon the Club to issue a nomination form to him. Thereafter, taking note of the order passed by the Civil Court, the Deputy Registrar issued the impugned communication directing postponement of the elections by a period of two months.
5. It is challenging the said communication/order of the Deputy Registrar that the petitioner is before this Court.
6. Sri Udaya Holla, learned Senior Counsel appearing for the petitioner, submits as under:
 - 6.1. Learned Senior Counsel submits that the District Registrar has no authority in law to postpone the elections of the petitioner-Club in the absence of any proceedings or enquiry initiated under Section



25 of the Karnataka Societies Registration Act, 1960 (for short, 'the KSR Act').

- 6.2. He contends that the order passed by the Civil Court in O.S. No.1198 of 2026 merely restrains the petitioner-Club from implementing the amended bye-laws and mandates that the affairs of the Club be governed by the unamended bye-laws. The Trial Court has neither stayed nor postponed the conduct of the elections. In that view of the matter, it is submitted that, at the highest, the District Registrar could only have directed that the elections be conducted in accordance with the unamended bye-laws and could not have directed postponement of the elections for a period of two months.
- 6.3. Learned Senior Counsel further submits that an affidavit sworn to by the Secretary of the petitioner-Club has been placed on record. Placing reliance thereon, he submits that a meeting of the Managing Committee was convened on 05.06.2026 at 8.00 p.m., wherein it was unanimously resolved that the forthcoming elections to the Club shall be conducted strictly in accordance with the existing, unamended bye-laws of the Club. Pursuant thereto, a corrigendum to that effect was issued and displayed on the Club notice board on 06.06.2026.



- 6.4. He further submits that, consequent upon the said decision, several members who had earlier become ineligible under the proposed amended bye-laws were permitted to contest the elections. The calendar of events issued by the Club indicated that issuance of nomination forms would commence on 08.06.2026 and that the last date for filing nominations was 11.06.2026.
- 6.5. Learned Senior Counsel submits that respondent No.2 approached the petitioner-Club only by way of an e-mail sent at 8.02 p.m. on 11.06.2026 seeking issuance of a nomination form. It is pointed out that 11.06.2026 was itself the last date prescribed for filing nominations and the time stipulated for filing nominations expired at 9.00 p.m. on the said date.
- 6.6. It is his submission that despite the corrigendum having been issued on 06.06.2026 and made available to all members, respondent No.2 did not take any steps to obtain a nomination form until the eleventh hour. According to learned Senior Counsel, respondent No.2 had never personally approached the Club for issuance of a nomination form prior thereto. Having sought issuance of a nomination form only at 8.02 p.m. on the last date fixed for filing nominations, it was practically impossible for the Club to issue the nomination



form and complete the nomination process before the stipulated deadline of 9.00 p.m.

- 6.7. Learned Senior Counsel therefore reiterates that the impugned order passed by the District Registrar directing postponement of the elections by a period of two months is wholly without jurisdiction, arbitrary and unsustainable in law and is therefore liable to be quashed.
7. The submission of Sri.Samarth Prakash, learned counsel appearing for respondent No.2 is that,
 - 7.1. Learned counsel submits that the affidavit filed by the Secretary of the petitioner-Club is false and contrary to the actual proceedings of the Managing Committee. According to him, though a meeting of the Managing Committee was indeed held on 05.06.2026, neither was the issue regarding conduct of elections under the unamended bye-laws discussed nor was any resolution passed in that regard, as is now sought to be contended by the petitioner.
 - 7.2. Learned counsel further submits that respondent No.2 became entitled to seek issuance of a nomination form only upon the passing of the order dated 11.06.2026 in O.S. No.1198 of 2026, whereby the Civil Court restrained the petitioner-



Club from implementing the amended bye-laws. It is his submission that immediately upon obtaining a copy of the said order, respondent No.2 approached the petitioner-Club seeking issuance of a nomination form by sending an e-mail at 8.02 p.m. on 11.06.2026.

7.3. Learned counsel therefore contends that the action of respondent No.2 in seeking a nomination form cannot be termed as belated, inasmuch as the right of respondent No.2 to contest the election arose only consequent upon the order passed by the Civil Court.

7.4. He relies on the decision in **Sri.K.N.Shanth Kumar -v- Electoral Officer and others [W.P. No.35584/2025]**, and submits that this Court in that matter having directed the Electoral Officer therein to consider the nomination filed by the petitioner therein to be valid and permitted the petitioner therein to contest election to the KCA, this Court could in the present matter direct nomination form to be issued to respondent No.2 and permit respondent No.2 to contest the elections.

7.5. On the aforesaid basis, learned counsel submits that the order passed by the District Registrar is legal, proper and justified. According to him, since



O.S. No.1198 of 2026 and the issues arising therefrom are pending adjudication before the competent Civil Court, the District Registrar was justified in exercising his discretion to postpone the elections so as to ensure fairness in the electoral process and avoid any further complications.

7.6. Learned counsel therefore submits that the impugned order does not warrant interference in exercise of the writ jurisdiction of this Court and accordingly seeks dismissal of the writ petition.

8. Heard Sri.Udaya Holla, Senior counsel for Sri.Sai Ajit.P.B, learned counsel for the petitioner, Sri.Samarth Prakash, learned counsel for Sri.Sai Devaraj, learned counsel for respondent No.2 and Smt.Saritha Kulkarni, AGA, for respondent No.1. Perused papers.
9. The calendar of events issued for conducting the elections is not in dispute. As per the said calendar, the preliminary list of members eligible to vote was published on 03.06.2026. The final voters' list and the list of defaulters were published on 08.06.2026. Issuance of nomination forms commenced on 08.06.2026 at 10.00 a.m., and the last date for filing nominations was fixed as 11.06.2026. The election was scheduled to be held on 28.06.2026.
10. The petitioner-Club has already made all necessary arrangements for conducting the elections, which are to



be held within three days from today. Though several opportunities were granted to the learned counsel for respondent No.2 to produce any document evidencing that respondent No.2 had approached the Club seeking issuance of a nomination form between 08.06.2026 and 11.06.2026, no such document has been produced. The only document relied upon by respondent No.2 is the e-mail sent on 11.06.2026 at 8.02 p.m.

11. It is contended on behalf of respondent No.2 that, after sending the said e-mail, he personally visited the office of the petitioner-Club and sought issuance of a nomination form. It is further contended that, despite such request, the nomination form was not issued. Admittedly, the last time prescribed for submission of nomination forms was 9.00 p.m. on 11.06.2026. When respondent No.2 had not taken any steps from 08.06.2026 till 8.02 p.m. on 11.06.2026, this Court is of the considered opinion that respondent No.2 has failed to establish his bona fides in seeking issuance of a nomination form.
12. It is no doubt contended that respondent No.2 had instituted O.S. No.1198 of 2026 and obtained an order on 11.06.2026, and only thereafter approached the petitioner-Club. However, a reading of the order passed in the said suit indicates that the Civil Court had merely directed that the elections be conducted in accordance with the existing bye-laws and had restrained implementation of the amended bye-laws. The material



placed on record indicates that, even prior to the said order, the Managing Committee, in its meeting held on 05.06.2026, had resolved to conduct the elections in accordance with the existing bye-laws. A corrigendum to that effect was also displayed on the notice board on 06.06.2026.

13. Though learned counsel for respondent No.2 submits that the issue regarding conduct of elections under the existing bye-laws was not discussed in the meeting held on 05.06.2026, the minutes produced before this Court disclose otherwise. The minutes indicate that the meeting had been convened to consider issues relating to the proposed amendments and the ensuing elections. The minutes have been signed by all the members of the Managing Committee, and a corrigendum has also been issued pursuant to the decision taken therein. At this stage, this Court finds no reason to disbelieve the said document.
14. Further, while the last date for filing nominations was 11.06.2026 and the election was scheduled for 28.06.2026, the Deputy Registrar, by the impugned order dated 18.06.2026, has directed postponement of the elections solely on the basis of the order passed in O.S. No.1198 of 2026. On the face of it, the said order travels beyond the directions issued by the Civil Court. The Trial Court had never directed postponement of the elections. It had only directed that the elections be conducted in



accordance with the existing bye-laws, which decision had already been taken by the Managing Committee in its meeting held on 05.06.2026.

15. In the considered opinion of this Court, as rightly contended by Sri Udaya Holla, learned Senior Counsel appearing for the petitioner, the Deputy Registrar could not have directed postponement of the elections once the election process had already commenced. In the absence of any enquiry under Section 25 of the Karnataka Societies Registration Act, 1960, or any other statutory provision conferring such power, the Deputy Registrar had no jurisdiction to postpone the elections. Consequently, the impugned order cannot be sustained.
16. Insofar as the decision in **K.N. Shanth Kumar's** case is concerned, having considered the said judgment, I am of the considered opinion that the same is not applicable to the facts of the present case. In **K.N. Shanth Kumar**, the nomination form had already been filed and came to be rejected on the ground that the institutional member, of which the petitioner therein was a nominee, was in arrears. This Court, taking into consideration the fact that the arrears had been cleared as on the date of scrutiny of the nomination, permitted the petitioner therein to contest the election. In the present case, respondent No.2 had not filed any nomination form. On the contrary, respondent No.2 is stated to have approached the Club seeking issuance of a nomination form only after sending



an e-mail at 8.02 p.m. on the last date prescribed for filing nominations, when the time for submission of nominations was to expire at 9.00 p.m. on the very same day. Thus, the present case stands on an entirely different footing from **K.N. Shanth Kumar**. Hence, in the considered opinion of this court, the said decision has no application to the facts and circumstances of the present case.

17. Hence, considering the imperativeness of the matter, this court passes the following:

ORDER

- i. The writ petition is allowed.
- ii. A certiorari is issued. The communication dated 18.06.2026, bearing No. DRB-2/Sun sun/DURU/01/2026-27 at Annexure-A, issued by respondent No. is quashed.
- iii. The petitioner is permitted to continue with the elections to be held on 28.06.2026.
- iv. Learned AGA is directed to bring the above order to notice of the Deputy Registrar, if required, to facilitate smooth conducting of elections.
- v. The concerned respondents shall act upon a print out of the operative portion of the order without



insisting on a certified copy of the order or the reasons therefor, since the next two days are holidays.

- vi. Liberty is reserved to respondents to avail such remedies as may be available.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

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List No.: 1 Sl No.: 23