



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

WRIT PETITION NO.21164 OF 2025 (S-R)

BETWEEN:

SRI M S THIRTHALINGAPPA
S/O S B SHIVALINGAPPA
AGED ABOUT 65 YEARS,
RETIRED AS SUPERINTENDENT ENGINEER (IN CHARGE)
KARNATAKA RURAL INFRASTRUCTURE
DEVELOPMENT LIMITED (KRIDL)
BENGALURU ZONE
BENGALURU – 560 009
R/AT NO.53, GODREJ GOLD COUNTY
NEAR PARLE FACTORY, TUMKUR ROAD
CHIKKABIDARAKALLU
BENGALURU – 560 073.

...PETITIONER

(BY SRI. BASAVARAJA PATEL G.K., ADVOCATE)

AND:

THE MANAGING DIRECTOR AND DISCIPLINARY AUTHORITY
THE KARNATAKA RURAL INFRASTRUCTURE
DEVELOPMENT LIMITED (KRIDL)
GRAMEENABHIVRUDDI BHAVAN,
4TH AND 5TH FLOORS,
ANANDA RAO CIRCLE
BENGALURU – 560 009.

...RESPONDENT

(BY SRI. SIDDANOORU VISHWANATHA, ADVOCATE)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED OM IN BEARING NO.KRIDL/ADM/CR445/2024-25 DATED 24.03.2025 VIDE ANNEXURE-M PASSED BY THE RESPONDENT THE SAME IS ARBITRARY, ILLEGAL AND WITHOUT AUTHORITY OF LAW AND CONTRARY TO THE ARTICLES 14, 16(1) AND 21 OF THE CONSTITUTION OF INDIA AND ETC.

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

Digitally
signed by
CHANDANA
B M
Location:
High Court
of Karnataka



CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

In this petition, petitioner seeks the following reliefs:

"i) Issue a writ in the nature of certiorari, to quash the impugned OM bearing No.KRIDL/ADM/CR4454/2024-25 dated 24.03.2025 vide Annexure-M passed by the Respondent the same is arbitrary, illegal and without authority of law and contrary to the Articles 14, 16(1) and 21 of the Constitution of India;

ii) Issue a consequential direction to the respondent to release the pensionary benefits amount of Rs.2,77,058/- to the petitioner without further loss of time including admissible interest of 8% from 31.05.2020 till realizations;

iii) Issue consequential direction to the respondent to pay the interest to the petitioner on belated payment of Gratuity, GIS, EPF and other benefits from the date of retirement i.e., 30.05.2020 till realizations without further loss of time.

iv) Grant such other further reliefs as this Hon'ble Court deems fit to grant under the circumstances of the cases, in the interest of justice."

2. Heard learned counsel for the petitioner and learned counsel for the respondent and perused the material on record.

3. A perusal of the material on record will indicate that the petitioner attained the age of superannuation on 31.05.2020 and



subsequently, report under Section 12(3) of the Karnataka Lokayuktha Act, 1984, was sent by the Karnataka Lokayuktha to the Karnataka Rural Infrastructure Development Limited (KRIDL), pursuant to which, Articles of Charges having been issued, the name of the petitioner was dropped and the enquiry continued only as against one Z.M.Chincholkar. It is the grievance of the petitioner that despite the aforesaid facts and circumstances, the respondent proceeded to recover a sum of Rs.2,77,058/- from the petitioner which is not only beyond the prescribed period of four years contemplated under Section 214(2)(b) of the KCSR, but also contrary to the order passed by the Lokayuktha dropping the petitioner from the enquiry and as such, the petitioner is before this Court by way of the present petition.

4. Per contra, learned counsel for the respondent submits that there is no merit in the petition and that the same is liable to be dismissed.

5. A perusal of the material on record will indicate that the petitioner having attained the age of superannuation on 31.05.2020, the Lokayuktha directed dropping of enquiry against



the petitioner vide Report dated 14.05.2024 followed by an Order dated 21.02.2025 produced at Annexure – K by the petitioner to the writ petition. Subsequent to the said order passed by the Lokayuktha dropping the charges against the petitioner, the petitioner submitted a representation requesting release of amount of Rs.9,06,830/-, pursuant to which, instead of refunding the entire amount, the respondent has issued the impugned Office Memorandum dated 24.03.2025 directing deducting of Rs.2,77,058/- out of Rs.9,06,830/-, which is contrary to the Report and Order of the Lokayuktha as well as beyond a period of four years as contemplated under Rule 214(b)(2) of the KCSR as held by this Court in the case of ***Sri. Revanna Vs. The State of Karnataka and others – W.P.No.39568/2025 dated 13.03.2026..***

6. In the result, I pass the following:

ORDER

- (i) The petition is hereby ***allowed***.
- (ii) The impugned office memorandum dated 24.03.2025 passed by the respondent is hereby quashed.
- (iii) Respondent is directed to release the pensionary benefits of Rs.2,77,058/- together with applicable



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interest within a period of eight weeks from the date of receipt of a copy of this order.

**Sd/-
(S.R.KRISHNA KUMAR)
JUDGE**

SV
List No.: 1 SI No.: 36