



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO.21930 OF 2024 (EDN-RES)

BETWEEN:

1. DOLPIN'S EDUCATIONAL TRUST (R)
HAVING ITS REGISTERED
OFFICE AT WARD NO.9,
NEAR POOJAMMA TEMPLE
BYPASS ROAD, SIDLAGHATTA TALUK
CHIDKKABALLAPUR DISTRICT-562102
REPRESENTED BY ITS
PRESIDENT A NAGARAJ.

...PETITIONER

Digitally signed by
CHAYA S A
Location: HIGH
COURT OF
KARNATAKA

(BY SRI. S. SUDHARSAN, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY
DEPARTMENT OF SCHOOL
EDUCATION AND LITERACY
M S BUILDING,



DR. AMBEDKAR VEEDHI
BENGALURU-560001.

2. COMMISSIONER OF PUBLIC INSTRUCTIONS
DEPARTMENT OF SCHOOL EDUCATION AND
LITERACY GOVERNMENT OF KARNATAKA
NRUPATHUNGA ROAD
BENGLAURU-560001.
3. DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS
DEPARTMENT OF EDUCATION
CHIKKABALLAPURA KARNATAKA-572101.
4. BLOCK EDUCATION OFFICER
CHIKKABALLAPUR DISTRICT
KARNATAKA-572101.

...RESPONDENTS

(BY SMT. SUKANYA BALIGA B., AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE IMPUGNED CIRCULAR DATED 09.01.2024
BEARING NO.DPI-CRI-C7(3)(OT)06/2023 ISSUED BY THE
RESPONDENT NO.2 AT ANNEXURE-E1 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 E.S.INDIRESH

ORAL ORDER

1. In this Writ Petition, petitioner is assailing the Circular dated 09.01.2024 (Annexure-E1) issued by the respondent No.2, the Order dated 15.05.2024 (Annexure-L) and the Order dated 10.07.2024 (Annexure-M) issued by the respondent No.4 to the petitioner - Trust.

2. The relevant facts for adjudication of this Writ Petition are, that the petitioner - Trust is running the School with State Syllabus authorised by the respondents as well as the School / Syllabus authorised by the Central Board of Secondary Education (hereinafter referred to as CBSE), in the existing premises. It is stated that the respondents have issued the 'No objection Certificate' under the provisions of Rule 6(7) of the Karnataka Educational Institutions (Issue of No Objection Certificate and Control) Rules, 2022, which came to be amended subsequently during 2024. It is also stated that, the petitioner is running the School with the curriculum of the State syllabus as recognised by the Government of Karnataka as well as the CBSE syllabus recognised by the prescribed Board, in



different institutions. It is the grievance of the petitioner that, without considering the same, the respondent-authorities have issued the impugned Order dated 15.05.2024 (Annexure-L) and the impugned Order dated 10.07.2024 (Annexure-M) and therefore, the petitioner has presented this Writ Petition. It is also to be noted that, the petitioner herein has challenged the vires of the Circular(Annexure-E1) dated 09.01.2024 issued by the respondent No.2.

3. Sri. Sudharsan S., learned counsel appearing for the petitioner, contended that the observation made by the respondent-authorities at Annexures-'L and M' requires to be interfered with, as the petitioner is not running two institutions in the same building and in this regard he referred to the affidavit filed by the petitioner-Institution dated 05.02.2026(Annexure-F), and submitted that 'NoC' was issued to the petitioner-Trust during the year, 2006. It is also submitted by the learned counsel appearing for the petitioner that, the respondent-authorities have no competency to issue the Circular dated 09.01.2024(Annexure-E1), and therefore sought for interference of this Court.



4. Per contra, Smt. Sukanya Baliga B., learned Additional Government Advocate appearing for the respondents, submitted that it is the policy decision of the Government to see that none of the Institutions shall run the curriculum having both the State as well as CBSE syllabus in the same building and therefore sought to justify the impugned orders at Annexures-'L and M' and so also, sought to defend the impugned Circular dated 09.01.2024 produced at Annexure-E1, issued by the respondent No.2.

5. In the light of the submissions made by the learned counsel appearing for the parties, on careful examination of the impugned orders at Annexures - 'L and M', wherein the respondent - authorities have directed the petitioner - Institution to close the State Institution on the sole ground that the petitioner - Institution is running the CBSE curriculum in the very same building and therefore, the petitioner cannot run State syllabus and accordingly, directed the petitioner - Institution to close the Institution wherein State curriculum is involved.



6. Having taken note of the submissions made by the learned counsel appearing for the parties and the reasons assigned at Annexures-'L and M' in consonance with the affidavit filed by the petitioner herein would indicate that the petitioner - Trust is having two educational institutions both named as 'Dolphin Public School' and one of the Schools is recognised by the State Government with State Syllabus and other is affiliated with the CBSE. In that view of the matter, I am of the view that, when the petitioner is running two institutions in two different campuses and therefore, the reasons assigned by the respondent-authorities at Annexures-'L and M' cannot be accepted. However, it is open for the respondent - authorities to inspect the petitioner - Institution as to the same and thereafter take decision in the matter in accordance with the Karnataka Education Act and the Rules made thereunder.

7. In that view of the matter, I pass the following:

ORDER

- (i) The Writ Petition is allowed.



(ii) The Order dated 15.05.2024 (Annexure-L) and the Order dated 10.07.2024 (Annexure-M) issued by respondent No.4 herein, are hereby set aside and the matter is remitted to respondent No.3 to make inspection of the petitioner's Institution and take fresh decision in the matter as such.

(iii) In so far as challenge to vires of Circular at Annexure-E1 is concerned, it is submitted by the learned counsel for the both sides that, same shall not be considered in this Writ Petition.

(iv) In view of disposal of the main matter as above, I.A.1/2025 does not survive for consideration.

SD/-
(E.S.INDIRESH)
JUDGE

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List No.: 2 Sl No.: 55