



CNR: KAHC010516762025

NC: 2026:KHC:40405-DB
WP No. 24037 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 3RD DAY OF AUGUST, 2026
PRESENT
THE HON'BLE MR. JUSTICE S.G.PANDIT
AND
THE HON'BLE DR. JUSTICE K.MANMADHA RAO
WRIT PETITION NO. 24037 OF 2025 (S-KSAT)

BETWEEN:

1. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF SCHOOL EDUCATION
AND LITERACY (ADMIN)
M.S. BUILDING
BENGALURU - 560001.
2. THE COMMISSIONER
DEPT. OF SCHOOL EDUCATION
AND LITERACY (ADMIN)
NRUPATHUNGA ROAD, K R CIRCLE,
BENGALURU - 560001.

...PETITIONERS

Digitally signed by
NANJUNDACHARI
Location: High
Court of Karnataka

(BY SRI. V SHIVAREDDY, AGA)

AND:

1. MR. GANGANNA SWAMY H G.,
S/O GANGAIAH,
AGED ABOUT 59 YEARS
WORKING AS DEPUTY DIRECTOR,
KARNATAKA TEXT BOOK SOCIETY (R)
MALLESHWARAM,
BENGALURU - 560003
R/AT HARANAKATTE PALYA
THIPPASANDRA HOBLI, MAGADI TALUK,
RAMANAGARA DISTRICT - 582131.



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2. MR. VINAY KUMAR K M
S/O LATE K A MURTHY,
AGED ABOUT 59 YEARS,
WORKING AS GAZETTED ASSISTANT,
O/O THE DEPUTY DIRECTOR,
RAMANAGARA DISTRICT,
RAMANAGARA - 562159
R/AT NO. 1107, 4TH MAIN,
5TH STAGE, RAJARAJESHWARI NAGAR,
BEML LAYOUT, BENGALURU - 560098.
3. MR. SRINIVASAN B N.,
S/O LATE NAGARAJA
AGED ABOUT 46 YEARS,
WORKING AS SUPERINTENDENT,
O/O THE DEPUTY DIRECTOR
RAMANAGARA DISTRICT,
RAMANAGARA - 562159
(ON DEPUTATION)
R/A LAST CROSS,
CHAMUNDESHARI EXTENSION,
RAMANAGARA - 562159.
4. SRI M S HEGDE NAGRE
RETIRED DISTRICT AND SESSIONS JUDGE,
NO.304, GOPALAN JEWELLERS APARTMENT,
SIDDANNA LAYOUT,
KONANAKUNTE CROSS,
KANAKAPURA ROAD,
BENGALURU - 62.

...RESPONDENTS

(BY SRI. NARASHIMHARAJU, ADV. FOR C/R1 & R2 & R3
V/O/D 12.09.2025
R4- DELETED)

THIS PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS IN A.NO-1757 TO 1759/2024 AND B) ISSUE A WRIT OF CERTORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION TO QUASH THE ORDER DATED 20.08.2024 PASSED IN A.NOS-1757 TO 1759/2024 BY THE KSAT (ANNEXURE-A).

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



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CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
AND
HON'BLE DR. JUSTICE K.MANMADHA RAO

ORAL ORDER

(PER: HON'BLE MR. JUSTICE S.G.PANDIT)

The State Authorities in the Department of School Education and Literacy, are before this Court in this writ petition questioning order dated 20.08.2024 in Application No.1757 to 1759/2024 passed by the Karnataka State Administrative Tribunal at Bengaluru (for short, 'the Tribunal'), whereunder the respondent Nos.1 to 3's Applications are allowed, setting aside the articles of charge issued to them and also the appointment of Enquiry Officer.

2. Heard learned Additional Government Advocate Sri.V.Shivareddy for petitioners and learned counsel Sri.Narasimharaju for respondent Nos.1 to 3. Perused the entire writ petition papers.



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3. Brief facts of the case are that, the respondents kept one Sri.Renuka.K., under suspension by order dated 17.05.2023 (Annexure-A1) on the ground that he has obtained employment by furnishing false information. The said order of suspension was the subject matter of Application before the Tribunal. When the Tribunal failed to grant interim order, said Sri.Renuka.K., was before this Court in W.P.No.10576/2023. This Court by order dated 31.05.2023 stayed the order of suspension finding prima facie case. The said order was implemented by the petitioners by order dated 09.06.2023 (Annexure-A4) reinstating said Sri.Renuka.K., into service. Thereafter, finding fault with the respondents that they have not informed the Government or higher authorities with regard to suspension and its revocation, the petitioners initiated departmental enquiry against the respondents by issuing common articles of charge dated 08.09.2023 (Annexure-A8). Further, the petitioners – Authorities also appointed Enquiry Officer by Government order dated 08.09.2003



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(Annexure-A10). Questioning the articles of charge as well as appointment of Enquiry Officer, the respondents were before the Tribunal in Application Nos.1757 to 1759/2024. The Tribunal under impugned order dated 20.08.2024 allowed the Applications and set aside the articles of charge as well as the appointment of Enquiry Officer. Questioning the said order of the Tribunal, the petitioners – State Authorities are before this Court in this writ petition.

4. Learned Additional Government Advocate Sri.V.Shivareddy in addition to the grounds urged in the writ petition would submit that the Tribunal could not have quashed the articles of charge at the threshold and it was a matter for enquiry. Learned Additional Government Advocate would further submit that the respondents could have participated in the Enquiry and the Enquiry Officer ought to have decided the issue as to whether the respondents have committed misconduct or not. Learned



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Additional Government Advocate would submit that the respondents were holding responsible posts and failed to discharge their official duty in a manner known to law. Further, it is submitted that one Sri.Renuka.K., was kept under suspension and a criminal case in Crime No.55/2022 was also registered against him. Therefore, in view of the serious charges against Sri.Renuka.K., the respondents were duty bound to inform the higher authorities. Therefore, he submits that initiation of enquiry against the respondents by issuing articles of charge is proper and correct.

5. Learned Additional Government Advocate would submit that without taking note of the above fact as well as the decision of the Hon'ble Apex Court with regard to interference with articles of charge at threshold, the Tribunal proceeded to quash the articles of charge as well as appointment of Enquiry Officer. Thus, he would pray for allowing the writ petition.



6. Per contra, learned counsel Sri.Narasimharaju for respondent Nos.1 to 3 on the other hand would submit that the respondents obeyed the order of this Court, when the order of suspension was stayed, by passing order to implement the said order. Thus, he submits that, for obeying the orders of this Court, the respondents are targeted and enquiry is initiated. Learned counsel would submit that respondent No.1 was working as Deputy Director of Public Instructions and he was the Appointing and Disciplinary Authority insofar as said Sri.Renuka.K., is concerned. Thus, when respondent No.1 was vested with the power to keep an officer under suspension, it is submitted that the same officer on this Court granting stay of the order of suspension, implemented the same. Hence, it is submitted that the respondents have not committed any misconduct and the Tribunal is justified in quashing the articles of charges as well as appointment of Enquiry Officer.



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7. Having heard the learned counsel appearing for the parties and on perusal of the entire writ petition papers, the only point which falls for our consideration is as to,

Whether the order of the Tribunal quashing the articles of charge warrants interference?

8. Answer to the above point would be in the 'Negative' for the following reasons:

It is alleged that one Sri.Renuka.K., obtained employment as Teacher by furnishing false information. Taking note of the said allegation, the first respondent kept said Sri.Renuka.K., under suspension by O.M., dated 17.05.2023. The said O.M., was the subject matter before the Tribunal in Application No.2026/2023. The interim order prayed by said Sri.Renuka.K., was refused by the Tribunal and said Sri.Renuka.K., approached this Court in W.P.No.10576/2023. A Co-ordinate Bench of this Court by order dated 31.05.2023 stayed the order of suspension



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dated 17.05.2023. The respondents in obedience of the order dated 31.05.2023 in W.P.No.10576/2023, issued order revoking the order of suspension of Sri.Renuka.K. It is not the case of the petitioners-State that the respondent was not the Disciplinary Authority or he had no power to keep said Sri.Renuka.K., under suspension. It was well within the power of Deputy Director of Public Instructions to keep Sri.Renuka.K., under suspension. The Authority to pass the order of suspension could equally have the power to revoke the suspension.

9. In the instant case, the respondents particularly, respondent No.1 taking note of the stay granted by Co-ordinate Bench of this Court rightly revoked the suspension. When the first respondent himself is the Disciplinary Authority, only on the ground that the order of suspension or revocation is not informed to higher authorities, no charge could have been issued against the



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respondents that too, in the peculiar facts of the present case.

10. The Tribunal has rightly come to the conclusion that issuance of articles of charge is without any prima facie material on record. The Tribunal has assigned sufficient reason while quashing the articles of charge and appointment of Enquiry Officer.

11. There is no contra reason to disagree with the reasons recorded by the Tribunal. Accordingly, writ petition stands ***rejected***.

**Sd/-
(S.G.PANDIT)
JUDGE**

**Sd/-
(DR.K.MANMADHA RAO)
JUDGE**

NC
CT:bms
List No.: 1 Sl No.: 33