



CNR: KAHC010523522026

NC: 2026:KHC:49556-DB
WP No. 23571 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF SEPTEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

WRIT PETITION NO. 23571 OF 2026 (EDN-RES)

BETWEEN:

SRI. C.SAI KUSHAL
S/O. V C VIJAYA KUMAR,
AGED ABOUT 19 YEARS,
R/A. #389-R/16A,
SS HITECH HOSPITAL ROAD,
OPPOSITE TO BHOO MIKA NAGARA ARCH,
NITTUVALLI-POST,
DAVANEGERE-577 004,
KARNATAKA

...PETITIONER

(BY SRI.NAGENDRA NAIK, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REP. BY ITS CHIEF SECRETARY
DEPARTMENT OF HIGHER EDUCATION,
VIDHANA SOUDHA,
BENGALURU - 560 001.
2. THE DIRECTORATE OF
MEDICAL EDUCATION
GOVERNMENT OF KARNATAKA,
BENGALURU - 560 001.

Digitally signed by
SUMATHY
KANNA
Location: HIGH
COURT OF
KARNATAKA



CNR: KAHC010523522026

NC: 2026:KHC:49556-DB
WP No. 23571 of 2026

3. KARNATAKA EXAMINATION AUTHORITY,
REP. BY ITS EXECUTIVE DIRECTOR,
18TH CROSS, SAMPIGE ROAD,
MALLESHWARAM WEST,
BENGALURU – 560 012.

...RESPONDENTS

(BY SMT.NAVYA SHEKAR, AGA FOR R1 & R2;
SRI.N.K.RAMESH, ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI, OR ANY OTHER APPROPRIATE WRIT, ORDER, OR/AND DIRECTION QUASHING/SET ASIDE THE CLAUSE 13 FOUND AT PAGE NUMBER 52 WITH RESPECT TO THE LINGUISTIC MINORITY QUOTA OF THE INFORMATION BULLETIN DATED 16.01.2026 VIDE ANNEXURE-A IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.

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

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Heard the learned counsel for the parties.

2. Learned counsel for the petitioner, at the very outset has fairly pointed out a judgment of the Coordinate Bench of this Court dated 17.07.2025 rendered in Writ Petition No.20702/2025 whereby in a similar petition, claiming similar



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WP No. 23571 of 2026**

relief, the writ petition was dismissed making the following observations:

11. Having considered the contentions advanced, we notice that the Apex Court in the Judgments relied on by the learned senior counsel for the petitioner was considering the question whether children of serving officers of the Government could be required to complete their qualifying examination within the State to entitle them for consideration as State candidates. However, a co-equal Bench of this Court has considered a challenge to the criteria of ten years of study in Karnataka for availing the benefit of linguistic minority in Karnataka and has come to the conclusion that the said prescription is valid. Further, we also notice that the prospectus under challenge was one issued in January 2025 and the writ petitioner was a person who had participated in the selection in the previous year as well. In case the condition is relaxed as sought for by the petitioner, there would be several other persons who would be entitled to the benefit who are unaware of this challenge and would not have made an application in the linguistic minority quota because of the prescription in the prospectus.

12. Though the learned senior counsel for the petitioner contends that the rule of parity will not extend to persons who have not approached the Court, we are of the opinion that in the matter of centralized selection to medical seats, where merit alone is expected to be the criteria, the decisions relied on by the learned senior counsel which are in the realm of Service Law would not apply. Any relaxation would have to be equally made applicable to all eligible candidates and permitting one candidate alone to avail of the benefit by relaxing the condition would amount to giving the rule of merit a go-by.



CNR: KAHC010523522026

13. In the above view of the matter, we are of the opinion that the prayer sought in the petition cannot be granted.

14. Writ Petition fails and is accordingly, dismissed.

Pending interlocutory applications, if any, shall stand disposed of.

3. It is further informed by the learned counsel for the petitioner that the aforesaid judgment of the Coordinate Bench of this Court was challenged before the Supreme Court in Special Leave to Appeal (C) No(s).21313/2025 in which, by an order dated 22.08.2025, the Supreme Court permitted the petitioner to participate in the counseling pending disposal of the Special Leave Petition. On 29.08.2025, the order of the Supreme Court dated 22.08.2025 was modified to read as follows:

"1. Order dated 22.08.2025 is modified and will be read as "pending disposal of the Special Leave Petition, the petitioner shall be permitted to participate in the counseling in Tamil Linguistic Minority quota."

2. Re-list the matter on 04.09.2025."



CNR: KAHC010523522026

NC: 2026:KHC:49556-DB
WP No. 23571 of 2026

4. It is stated by the learned counsel for the petitioner that the aforesaid Special Leave to Appeal is pending before the Supreme Court.

5. The instant petition is filed seeking the following reliefs:

"I. Issue a Writ in the nature of Certiorari, or any other appropriate writ, order, or/and direction quashing/set aside the clause 13 found at page number 52 with respect to the Linguistic Minority Quota of the Information Bulletin dated:16.01.2026 vide Annexure-A in the interest of justice and equity.

II. Issue a Writ in the nature of Mandamus to the Respondent authorities to permit the Petitioner to avail the benefit of Linguistic Minority Quota for the state of Karnataka in the counselling process in the NEET admissions.

III. Grant such reliefs as this Hon'ble Court may deem fit under the facts and circumstances of the case at hand in the interest of justice and equity."

6. When the matter was listed on 06.08.2026, the following order was passed:

" When the matter was listed yesterday, the following order was passed:

" The case of the petitioner is that the reservation of Linguistic Minority is denied to him rendering him ineligible to appear in the UG-NEET 2026 examination for MBBS Course.

It is stated that the eligibility criteria prescribed in the brochure published by the K.E.A. on 16.01.2026 is that to qualify for the



CNR: KAHC010523522026

benefit of reservation of Linguistic Minority, study of a minimum of 10 years from Class - 1 onwards in the State of Karnataka is prescribed. It is stated that given the transferable job of the petitioner's father, who is an Air Force personnel, two years of his schooling were in Bhuj, Gujarat. Attention of the Court has been drawn to certain judgments of the Supreme Court.

Sri.N.K.Ramesh, learned counsel for the respondent – K.E.A states that in the online application form submitted by the petitioner, the petitioner has not claimed any benefit of reservation as a Linguistic Minority.

Learned counsel for the petitioner seeks an adjournment to enable him to obtain instructions.

As prayed, list the matter on 06.08.2026."

*Learned counsel for the petitioner has referred to a judgment of the Supreme Court in **Vansh vs. Ministry of Education and the Ministry of Health and Family Welfare and Others**¹ to contend that a provision in the State of Maharashtra which provided that a ward of a serviceman should have passed his/her 12th standard from an institution located in the State of Maharashtra, was read down in the case of **Archana Sudhakar Mandulkar vs. Dean, Govt. Medical College, Nagpur and others**.² A modification in the guidelines of the State of Maharashtra was also noticed by the Supreme Court in the case of **Vansh** that a further condition was imposed on the employee of Government of India or its Undertaking being the parent of the candidate, should have been transferred back to the State of Maharashtra and also must have reported for duty and must be working as on the last*

¹ (2024) 20 SCC 306

² 1986 SCC Online Bom 262



CNR: KAHC010523522026

*date of document verification at a place located in the State of Maharashtra. The Supreme Court in the case of **Vansh** found that the condition imposed by the State of Maharashtra was impossible to fulfill. Accordingly, directions were issued and orders were passed in favour of the appellant before the Supreme Court.*

*It is contended that the petitioner before this Court had no option but to fill the form mentioning the word **NO** against the claim for reservation for Linguistic Minority as writing **YES** would have entailed a false statement leading to action by the respondents by canceling the admission.*

The matter requires consideration. Given the urgency of the matter, we direct that the respondents file their response within a period of one week and no more.

List the matter on 13.08.2026."

7. However today, the aforesaid judgment of the Coordinate Bench has been placed before us. No order of the Supreme Court has been submitted that actually stays the order of the Coordinate Bench of this Court in Writ Petition No.20702/2025 dated 17.07.2025.

8. Though the learned counsel for the petitioner has sought to distinguish the judgment dated 17.07.2025 in Writ Petition No.20702/2025, however given the fact that the similar matter is engaging the attention of the Supreme Court, we dismiss the petition, following the judgment dated



CNR: KAHC010523522026

**NC: 2026:KHC:49556-DB
WP No. 23571 of 2026**

17.07.2025 in Writ Petition No.20702/2025 in terms of that judgment.

**Sd/-
(JAYANT BANERJI)
JUDGE**

Digitally signed by TARA
VITASTA GANJU

Location: HIGH COURT OF
KARNATAKA

**(TARA VITASTA GANJU)
JUDGE**

KG
List No.: 2 SI No.: 3