



CNR: KAHC010531992026

NC: 2026:KHC:44832
WP No. 24132 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 24132 OF 2026 (GM-PDS)

BETWEEN:

RATHNAMMA
W/O LATE MAHADEVEGOWDA H C
AGED ABOUT 50 YEARS,
NO.87 MALAVALLI TALUK
KASABA HOBLI,
HULLAHALLI AGASANAPURA,
MANDYA DISTRICT
MANDYA-571430.

PETITIONER

(BY SRI. B S JEEVAN KUMAR.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY ITS SECRETARY,
DEPARTMENT OF FOOD AND CIVIL SUPPLIES
DEPARTMENT OF CONSUMER AFFAIRS AND LEGAL
METROLOGY, M S BUILDING
DR AMBEDKAR VEEDHI
BENGALURU-560001.
2. THE DEPUTY DIRECTOR
FOOD AND CIVIL SUPPLIES AND CONSUMER
AFFAIRS, MANDYA DISTRICT
MANDYA-571401.

RESPONDENTS

(BY SRI. DEVARAJ. C.H.,AGA)

THIS WP IS FILED UNDER PRAYING TOA) PASS AN
APPROPRIATE WRIT, ORDER OR DIRECTION IN THE NATURE
OF CERTIORARI QUASHING THE ENDORSEMENT DATED

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



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24.07.2026 PASSED BY SECOND RESPONDENT BEARING NO. AHARA/ NYABELEANGADI/CR/01/2026-27 (ANNEXURE-C) TO THE WRIT PETITION AND ETC,,

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Learned AGA is directed to take notice for respondents.
2. The petitioner is before this Court seeking for the following reliefs:

"Wherefore the petitioner most humbly prays that this Hon'ble Court may kindly be pleased to:

- a) Pass an appropriate writ, order or direction in the nature of Certiorari quashing the endorsement dated 24.07.2026 passed by Second respondent bearing No.Ahara/Nyabeleangadi/CR/01/2026-27 (Annexure-C) to the writ petition.*
- b) Consequently issue writ of mandamus to consider the application dated 30.05.2026 Annexure-B directing the respondents to issue authorization in favour of the petitioner on compassionate grounds.*



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c) Grant such other relief/s as deemed fit in the circumstances of the case in the interest of justice and equity."

3. The husband of the petitioner was granted an authorization to run a fair price depot at Hullahalli Village in the year 1993-94, which has been renewed from time to time and is now in force till the year 2028. Unfortunately, the husband of the petitioner expired on 19.04.2026. Hence, the petitioner made an application for transfer of authorization on 30.05.2026 on compassionate basis. The said application came to be rejected by respondents on the ground that the husband of the petitioner at the time of his expiry was more than 65 years and that she did not have a qualification of 10th Standard. Challenging the same, the petitioner is before this Court seeking for the aforesaid reliefs.
4. This Court in catena of decisions has held that it is the age of the transferee which is required to be



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considered for the purpose of transfer on compassionate basis and also held that the education qualifications are not applicable to a transferee on a compassionate basis. This aspect has been given a go by the respondents while considering the application made by the petitioner. Hence, this Court passes the following:

ORDER

- i) The petition is ***allowed***.
- ii) A certiorari is issued, the endorsement dated 24.07.2026 issued by respondent No.2 at Annexure-C, is quashed.
- iii) A mandamus is issued directing the respondents to consider the representation / application of the petitioner dated 30.05.2026 at Annexure-B as per the observations made here and above, without insisting on the 10th standard pass certificate and transfer the



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authorization within 30 days from the date on which the petitioner has complied with all other administrative requirements including furnishing of no objection from the other family members as well as submitting indemnity and undertakings as required.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**

PNV
List No.: 1 Sl No.: 3