



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 5<sup>TH</sup> DAY OF OCTOBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ**

**WRIT PETITION NO. 24601 OF 2026 (GM-KSR)**

**BETWEEN**

INDIRANAGAR CLUB  
A SOCIETY REGISTERED UNDER THE  
KARNATAKA SOCIETIES REGISTRATION ACT  
HAVING OFFICE AT NO.3273, HAL 2<sup>ND</sup> STAGE,  
BENGALURU 560038  
REPRESENTED BY ITS SECRETARY  
MR. M NAGENDRA.

...PETITIONER

(BY SRI: UDAYA HOLLA., SR COUNSEL FOR  
SRI. AJIT P.B., ADVOCATE)

**AND**

1. THE DEPUTY REGISTRAR OF CO OPERATIVE SOCIETIES AND DISTRICT REGISTRAR OF CO OPERATIVE SOCIETIES RANGE-2, BANGALORE URBAN DISTRICT, NO.146, SAHAKARA SOUDHA, 2<sup>ND</sup> FLOOR, 3<sup>RD</sup> MAIN ROAD, 8<sup>TH</sup> CROSS, MARGOSA ROAD, MALLESHWARAM, BANGALORE-560003.
2. THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES, RANGE-2, BANGALORE URBAN DISTRICT, NO.146, SAHAKARA SOUDHA, 2<sup>ND</sup> FLOOR, 3<sup>RD</sup> MAIN ROAD, 8<sup>TH</sup> CROSS, MARGOSA ROAD, MALLESHWARAM, BANGALORE-560003.
3. THE DISTRICT REGISTRAR, OFFICE OF THE REGISTRATION OF SOCIETIES, DIVISION-2, MALLESWARAM, BANGALORE-560003.
4. THE CO-OPERATIVE DEVELOPMENT OFFICER,



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

OFFICE OF THE ASSISTANT REGISTRAR OF  
CO-OPERATIVE SOCIETIES,  
RANGE-2, BANGALORE URBAN DISTRICT,  
BANGALORE-560003.

5. MR. D.P. NARAYAN,  
S/O DHAGE PUNDALAKA RAO,  
AGED ABOUT 71 YEARS,  
R/AT NO.3762, 13<sup>TH</sup> B MAIN,  
11<sup>TH</sup> CROSS, HAL 2<sup>ND</sup> STAGE,  
BENGALURU-560008.
6. MR. PAVAN KUMAR  
CO OPERATIVE DEVELOPMENT OFFICER  
GENERAL MANAGER  
RAJAJINAGARA CO OPERATIVE SOCIETY LIMITED  
RAJAJINAGARA BANGALORE 560010

...RESPONDENTS

(BY SRI DEVARAJ C.H., GA A/W  
SMT. PRATHIMA HONNAPUR., ADVOCATE FOR R1 TO R4;  
SRI. A.M. VIJAY., ADVOCATE FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF  
THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI  
QUASHING THE IMPUGNED ORDER DATED 22.07.2026 BEARING NO.DRB-  
2/SOR/KALUM 25/03/2026-27 (ANNEXURE-A) PASSED BY THE  
RESPONDENT NO.1 AND ETC.

THIS WRIT PETITION COMING ON FOR ORDERS AND HAVING BEEN  
RESERVED FOR ORDERS ON 07.08.2026, THIS DAY, THE COURT  
PRONOUNCED THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

### **CAV ORDER**

1. The Petitioner-Indiranagar Club is before this Court  
seeking for the following reliefs:

*i) Issue writ of certiorari quashing the impugned  
order dated 22.07.2026 bearing No. DRB-*



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

*2/SOR/KALUM 25/03/2026-27 (Annexure-A)  
passed by the Respondent No.1;*

*ii) To issue any such writ or pass such other orders  
as deemed fit to be granted in the facts and  
circumstances of the case to serve the interest of  
justice and equity, and;*

*iii) For Cost.*

2. The Petitioner's Club is a Society registered under the provisions of the Karnataka Societies Registration Act, 1960 (hereinafter referred to as 'the KSR Act' for short) and has around 4718 members. Certain members of the Club, including Respondent No. 5, had filed a complaint on 30.07.2024 before Respondent No. 3, District Registrar, seeking an enquiry under Section 25 of the KSR Act.
3. In the said complaint, the complainant had made 19 allegations which are reproduced hereunder for easy reference:

*"1. Enquire into Election dated 30/06/2024 for the term 2024-26 conducted in violation of club bye-laws.*

*2. Enquire into misappropriation in sale of liquor, mismanagement of liquor in schemes given by liquor companies.*

*3. Misappropriation by Club staff in party hall and Guest Rooms collections in cash.*

*4. Enquire whether the decisions taken by the General Body and the managing committee in last 6 terms are in accordance with the bye-laws of the club.*



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

5. Enquire whether the General Body meetings have been conducted as per the bye-laws of the club and whether the reports of all the Special General Body meetings and Annual General Body meetings have been filed with the District Registrar.

6. Enquire whether membership of the club is being given at high cost and collecting additional funds from new members in violation of the club bye-laws.

7. Smart Card reader not provided for the Election 2024-26 leading to electoral malpractice

8. Illegally Barring Mr. K. Narayana from Contesting the elections 2024-26

9. Calling of Illegal Special General Body in violation of Club Bye-laws

10. Illegal Suspension of Office Bearers and Managing Committee Member

11. False Molestation case against Ex-Vice President, Ex-treasurer and Ex-Managing Committee Member

12. Party Hall charges collected in cash and misappropriated

13. Misuse of club funds to fight false cases against the majority of the committee members and club members

14. CRED Party in Violation of Club bye-laws

15. Signing of Cheque of more than 50 Lakhs by President without authorisation of managing committee in utter Violation of Club bye-laws

16. Conduct Financial Audit, Construction and Building Audit of Sports Complex project and repeated civil and refurbishing works, undertaken in the name of renovation in guest rooms and in the entire club in the last 6 terms,

17. Allowing Commercial private parties in the club without managing committee approval. Food and Liquor from outside is served. Cash collections of above 30 lakhs not accounted in the books of accounts. The sound decibels of the concert created so much disturbance for the members and the senior residents living near the club.

18. Events conducted without quotations, comparative statements and without approval of managing committee.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

*19. Enquire Any other matter that may come up during the course of enquiry."*

4. The complaint included allegations concerning the conducting of elections in the Club, among several other allegations. Respondent No.1-Deputy Registrar, vide order dated 08.08.2024, directed Respondent No.2-Assistant Registrar to visit the Indiranagar Club, conduct an enquiry and submit a report regarding the allegations made within seven days.
5. Pursuant to the said order dated 08.08.2024, Respondent No.2 issued a notice on 19.08.2024. However, the same was not served on the Petitioner Club. A fresh notice dated 29.08.2024 came to be issued, which was served on the Petitioner.
6. The Petitioner Club approached this Court challenging the same by filing W.P.No.24813/2024, and this Court, vide order dated 10.09.2024, granted an interim order staying the operation of the notice dated 29.08.2024.
7. Vide order dated 13.11.2025, this Court disposed of W.P.No.24813/2024 by extending the time granted under the notice dated 29.08.2024 by one week, directing the Petitioner Club to submit its reply on or



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

before 21.11.2025 and further directing Respondent No.2 to consider the said reply and pass necessary orders within 30 days.

8. The Petitioner Club submitted a reply on 20.11.2025, furnishing an explanation to the allegations made. Thereafter, Respondent No. 4, the Co-operative Development Officer, issued another notice on 05.01.2026 calling upon the Petitioner Club to furnish further explanation on each allegation, which was submitted by the Petitioner Club on 12.01.2026 specifically contending that the complainants were repeatedly approaching various Authorities with multiple allegations only with a mala fide intention to damage the reputation and image of the office bearers of the Petitioner Club.
9. Despite the said reply, no order has been passed by Respondent No.1 or Respondent No.2 within the time stipulated by this Court in W.P.No.24813/2024. Without passing any order on the reply, Respondent No.2 appointed the Co-operative Development Officer ('CDO' for short) to conduct an enquiry into the allegations made in the complaint dated 30.07.2024, who conducted such an enquiry and submitted a report to Respondent No.2.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

10. In the enquiry report, it was stated that W.P.No.24813/2024 had been dismissed. The CDO in the enquiry report had stated that out of the 19 allegations, 18 allegations have not been proved, and she opined that further enquiry is necessary only in respect of allegation No.16. It is pertinent to note that insofar as Item No.17, she has stated that the allegation has not been proved and in respect of Item No.15, there is already a civil suit pending and the complaint can seek reliefs in the said civil suit.
11. Respondent No.2 forwarded the enquiry report to Respondent No. 1 along with a letter dated 27.05.2026 stating that insofar as issues Nos.15, 16 and 17 are concerned, since no personal notices had been issued to the concerned parties during the enquiry conducted by the CDO, they could be subjected to a statutory enquiry under Section 25 of the KSR Act and requested Respondent No.1 to accept the enquiry report in respect of other issues.
12. Respondent No.1 passed the impugned order dated 22.07.2026 appointing one Mr.Pavan Kumar as an enquiry officer to conduct an enquiry under Section 25 of the KSR Act, 1960 regarding the allegations at



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

numbers 1 to 14 mentioned in the said order, which is reproduced hereunder for easy reference:

“ವಿಚಾರಣಾ ಅಂಶಗಳು:-

1. ಕಳೆದ 12 ವರ್ಷಗಳಲ್ಲಿ ಕ್ಲಬ್‌ನ ವತಿಯಿಂದ ಮದ್ಯ ಮಾರಾಟಗಳನ್ನು ನಿಯಮಾನುಸಾರ ಮಾಡಲಾಗಿದೆಯೇ ಎಂಬುದರ ಕುರಿತು ಸಂಘದ ದಾಖಲಾತಿಗಳನ್ನು ಕೂಲಕಂಠವಾಗಿ ಪರಿಶೀಲಿಸಿ ಲೋಪದೋಷಗಳಾಗಿದ್ದಲ್ಲಿ ಸಂಬಂಧಪಟ್ಟವರ ವಿರುದ್ಧ ಜವಾಬ್ದಾರಿ ನಿಗದಿಪಡಿಸುವುದು.
2. ಕ್ಲಬ್‌ನ ಪಾರ್ಟಿಹಾಲ್‌ನಲ್ಲಿ ಸಿಬ್ಬಂದಿಗಳಿಂದ ಮತ್ತು ವ್ಯವಸ್ಥಾಪಕ ಸಮಿತಿ ಸದಸ್ಯರುಗಳಿಂದ ಹಣದುರುಪಯೋಗ ಮಾಡಿರುವ ಅರೋಪದ ಕುರಿತು ಸಂಘದ ದಾಖಲಾತಿಗಳನ್ನು ಕೂಲಕಂಠವಾಗಿ ಪರಿಶೀಲಿಸಿ ಲೋಪದೋಷಗಳಾಗಿದ್ದಲ್ಲಿ ಸಂಬಂಧಪಟ್ಟವರ ವಿರುದ್ಧ ಜವಾಬ್ದಾರಿ ನಿಗದಿಪಡಿಸುವುದು.
3. ಕಳೆದ 12 ವರ್ಷಗಳಿಂದ ಕ್ಲಬ್‌ನ ಸರ್ವಸದಸ್ಯರ ಸಭೆಗಳನ್ನು ಮತ್ತು ವಿಶೇಷ ಸರ್ವಸದಸ್ಯರ ಸಭೆಗಳನ್ನು ಕ್ಲಬ್‌ನ ಉಪನಿಯಮಗಳನ್ವಯ ನಡೆಸಲಾಗಿದೆಯೇ? ಈ ಸಭೆಗಳಲ್ಲಿ ಕೈಗೊಂಡ ನಿರ್ಣಯಗಳು ಕ್ಲಬ್‌ ಉಪನಿಯಮಗಳ ಅನುಸಾರವಾಗಿದೆಯೇ? ಎಂಬುದರ ಕುರಿತು ಸಂಘದ ದಾಖಲಾತಿಗಳನ್ನು ಕೂಲಕಂಠವಾಗಿ ಪರಿಶೀಲಿಸಿ ಲೋಪದೋಷಗಳಾಗಿದ್ದಲ್ಲಿ ಸಂಬಂಧಪಟ್ಟವರ ವಿರುದ್ಧ ಜವಾಬ್ದಾರಿ ನಿಗದಿಪಡಿಸುವುದು.
4. ಕ್ಲಬ್‌ ಉಪನಿಯಮಗಳನ್ನು ಸಂಪೂರ್ಣವಾಗಿ ಉಲ್ಲಂಘಿಸಿ ವ್ಯವಸ್ಥಾಪಕ ಸಮಿತಿಯ ಅನುಮತಿಯಿಲ್ಲದೆ ಅಧ್ಯಕ್ಷರಿಂದ 50 ಲಕ್ಷಕ್ಕೂ ಹೆಚ್ಚು ಮೊತ್ತದ ಬೆಕ್‌ಗೆ ಸಹಿ ಹಾಕಿರುವ ಕುರಿತು ಸಂಘದ ದಾಖಲಾತಿಗಳನ್ನು ಕೂಲಕಂಠವಾಗಿ ಪರಿಶೀಲಿಸಿ ಲೋಪದೋಷಗಳಾಗಿದ್ದಲ್ಲಿ ಸಂಬಂಧಪಟ್ಟವರ ವಿರುದ್ಧ ಜವಾಬ್ದಾರಿ ನಿಗದಿ ಪಡಿಸುವುದು.
5. ಕಳೆದ 12 ವರ್ಷಗಳ ಅವಧಿಯಲ್ಲಿ ಕೋಟ್ಯಂತರ ರೂಪಾಯಿ ಮೌಲ್ಯದ ಅತಿಥಿ ಕೊಠಡಿಗಳಲ್ಲಿ ಮತ್ತು ಇಡೀ ಕ್ಲಬ್‌ನಲ್ಲಿ ನವೀಕರಣದ ಹೆಸರಿನಲ್ಲಿ ಕಾಮಗಾರಿ ಕೈಗೆತ್ತಿಕೊಳ್ಳಲಾಗಿದ್ದು, ಈ ಕಾಮಗಾರಿಗಳು ನಿಯಮಾನುಸಾರವಾಗಿ ನಡೆಸಲಾಗಿದೆಯೇ ಎಂಬುದರ ಕುರಿತು ಸಂಘದ ದಾಖಲಾತಿಗಳನ್ನು ಕೂಲಕಂಠವಾಗಿ ಪರಿಶೀಲಿಸಿ ಲೋಪದೋಷಗಳಾಗಿದ್ದಲ್ಲಿ ಸಂಬಂಧಪಟ್ಟವರ ವಿರುದ್ಧ ಜವಾಬ್ದಾರಿ ನಿಗದಿಪಡಿಸುವುದು.
6. ವ್ಯವಸ್ಥಾಪಕ ಸಮಿತಿಯ ಅನುಮೋದನೆಯಿಲ್ಲದೆ ಕ್ಲಬ್‌ನಲ್ಲಿ ವಾಣಿಜ್ಯ ಖಾಸಗಿ ಕಾರ್ಯಗಳಿಗೆ ಅನುಮತಿಸುವುದು ಹೊರಗಿನಿಂದ ಆಹಾರ ಮತ್ತು ಮದ್ಯವನ್ನು ನೀಡಲಾಗುತ್ತದೆ. 30 ಲಕ್ಷಕ್ಕಿಂತ ಹೆಚ್ಚಿನ ನಗದು ಸಂಗ್ರಹಣೆಗಳು ಖಾತೆಗಳ ಪುಸ್ತಕಗಳಲ್ಲಿ ಲೆಕ್ಕ ಹಾಕಿಲ್ಲ. ಗೋಷ್ಠಿಯ ಧ್ವನಿ ಡೆಸಿಬಲ್‌ಗಳು ಸದಸ್ಯರು ಮತ್ತು ಕ್ಲಬ್‌ನ ಬಳಿ ವಾಸಿಸುವ ಹಿರಿಯ ನಿವಾಸಿಗಳಿಗೆ ತುಂಬಾ ತೊಂದರೆ ಉಂಟುಮಾಡಿರುವುದು ಕುರಿತು ಸಂಘದ ದಾಖಲಾತಿಗಳನ್ನು ಕೂಲಕಂಠವಾಗಿ ಪರಿಶೀಲಿಸಿ ಲೋಪದೋಷಗಳಾಗಿದ್ದಲ್ಲಿ ಸಂಬಂಧಪಟ್ಟವರ ವಿರುದ್ಧ ಜವಾಬ್ದಾರಿ ನಿಗದಿಪಡಿಸುವುದು.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

7. ಕ್ಲಬ್‌ನ ಉಪನಿಯಮಗಳನ್ನು ಉಲಂಘಿಸಿ ಕ್ಲಬ್‌ನಲ್ಲಿ (CRED PRIVATE COMMERCIAL PARTY) ನಡೆಸಲಾಗಿದೆ ಎಂಬ ಆರೋಪದ ಕುರಿತು ಸಂಘದ ದಾಖಲಾತಿಗಳನ್ನು ಕೂಲಂಕಷವಾಗಿ ಪರಿಶೀಲಿಸುವುದು.

8. ಸಂಘದ ಟೆನ್ನಿಸ್ ಕೋರ್ಟ್ ಆವರಣದಲ್ಲಿ ಲೇಸ್ ಮೆಂಟ್ ಪಾರ್ಕ್ಯಾಂಗ್ ಫೆಸಿಲಿಟಿ ಕಾಮಗಾರಿಯನ್ನು ನಡೆಸಲು ತೀರ್ಮಾನಿಸಿದ್ದು, ಈ ಸತ್ತು ಬಡಿದು ಬಂದೆ ಗುತ್ತಿಗೆ ಆಧಾರದ ಮೇಲೆ ಪಡೆದಿದ್ದು, ಇಲ್ಲಿ ಕಾಮಗಾರಿ ಕೈಗೊಳ್ಳುವುದು ಬಿಡಿದ ಗುತ್ತಿಗೆ ಕರಾರಿನ ಉಲಂಘನೆಯಾಗುತ್ತದೆಯೇ? ಎಂಬ ಅಂಶದ ಕುರಿತು ಸಂಘದ ದಾಖಲಾತಿಗಳನ್ನು ಕೂಲಂಕಷವಾಗಿ ಪ್ರತಿಯಲಿಸಿ ವರದಿ ಸಲ್ಲಿಸುವುದು.

9. ಕಳೆದ 12 ವರ್ಷಗಳಿಂದ ಕ್ಲಬ್ ವತಿಯಿಂದ ನಡೆಸಲಾದ ಕಾರ್ಯಕ್ರಮಗಳಿಗೆ ಯಾವುದೇ ಕೋಟೇಷನ್‌ಗಳನ್ನು ಪಡೆಯದೇ ನಡೆಸಿರುವ ಆರೋಪದ ಕುರಿತು.

10. ಕ್ಲಬ್‌ನ ಕಾರ್ಯಕಾರಿ ಮಂಡಳಿಯವರು ಶ್ರೀ ಪಿ. ಮುನಿಸ್ವಾಮಿ ಇವರ ಸದಸ್ಯತ್ವವನ್ನು ಅವರ ಮಗನಿಗೆ ವರ್ಗಾಯಿಸಿ, ನಂತರ ಶ್ರೀ ಪಿ. ಮುನಿಸ್ವಾಮಿ ಇವರು ಕ್ಲಬ್‌ನ ರೂ. 1.17 ಕೋಟಿ ದುರುಪಯೋಗ ಪಡಿಸಿಕೊಂಡಿದ್ದ ಮೊತ್ತವನ್ನು ಕ್ಲಬ್ ನವರು ಮನ್ನ ಮಾಡಿರುವ ಆರೋಪದ ಕುರಿತು.

11. ಸಂಘದ ಪದಾಧಿಕಾರಿಗಳಾದ ಶ್ರೀ ಪಿ. ಮುನಿಸ್ವಾಮಿ, ಶ್ರೀ ಕೆ. ನಾರಾಯಣ್ ಹಾಗೂ ಕಾರ್ಯಕಾರಿ ಮಂಡಳಿ ಸದಸ್ಯರಾದ ಶ್ರೀ ರಾಜ್ ಕುಮಾರ್ ಇವರುಗಳನ್ನು ಕಾನೂನು ಬಾಹಿರವಾಗಿ ದಿನಾಂಕ: 09-02-2020ರ ವಿಶೇಷ ಸರ್ವಸದಸ್ಯರ ಸಭೆಯಲ್ಲಿ ಅಮಾನತ್ತು ಮಾಡಿರುತ್ತಾರೆ ಹಾಗೂ ಇವರುಗಳ ವಿರುದ್ಧ ಸುಳ್ಳು (Molestation) ಪ್ರಕರಣಗಳನ್ನು ದಾಖಲಿಸಿ ಕ್ಲಬ್ ಗೌರವಕ್ಕೆ ಧಕ್ಕೆ ತಂದಿರುವ ಆರೋಪದ ಕುರಿತು.

12. ಕ್ಲಬ್‌ನ ಕಾರ್ಯಕಾರಿ ಮಂಡಳಿ ಸದಸ್ಯರುಗಳು ಹಾಗೂ ಕ್ಲಬ್‌ನ ಸದಸ್ಯರುಗಳ ವಿರುದ್ಧ ದಾಖಲಿಸಿದ ಸುಳ್ಳು ಪ್ರಕರಣಗಳನ್ನು ನಡೆಸಲು ಕ್ಲಬ್ ವತಿಯಿಂದ ಲೀಗಲ್ ಫೀ ಆಗಿ ಭಾರೀ ಮೊತ್ತಗಳನ್ನು ನೀಡಿ ಕ್ಲಬ್‌ನ ಹಣವನ್ನು ದುರುಪಯೋಗ ಪಡಿಸಿಕೊಂಡಿರುವ ಆರೋಪದ ಕುರಿತು.

13. ಕಳೆದ 12 ವರ್ಷಗಳಿಂದ ಕ್ಲಬ್‌ನ ವತಿಯಿಂದ ನಡೆಸಲಾದ ಕಾರ್ಯಕ್ರಮಗಳಿಗೆ ಯಾವುದೇ ಕೋಟೇಷನ್ ಪಡೆಯದೇ ಇರುವ ಕುರಿತು.

14. ವಿಚಾರಣೆ ವೇಳೆಯಲ್ಲಿ ಕಂಡುಬರುವ ಇತರೆ ಅಂಶಗಳ ಕುರಿತು.”

13. The enquiry officer was directed to submit his report within 60 days. It is in that background that the Petitioner is before this Court challenging the Order dated 22.07.2026 and seeking the aforesaid reliefs.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

14. Sri Udaya Holla, learned Senior Counsel appearing for the Petitioner Club, would submit that:

14.1. The order dated 22.07.2026 is arbitrary, illegal, and without jurisdiction. The order dated 22.07.2026 is unsustainable, as the specific direction issued by this Court in W.P.No.24813/2024 has not been complied with. The Petitioner having been permitted to reply to the notice dated 29.08.2024, it was required for Respondent No.2 to consider the reply and pass appropriate orders in accordance with law within 30 days from the date of receipt of such reply.

14.2. The reply having been submitted on 20.11.2025 and a further reply having been submitted on 12.01.2026, no order has been passed either on the initial reply or on the additional reply. The CDO was appointed as the enquiry officer by Respondent No. 2, the Assistant Registrar, and not by Respondent No. 1, the Deputy Registrar.

14.3. The enquiry report submitted by the CDO to Respondent No.2 also indicated that 18 out of total 19 allegations were not proved, and only



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

the allegation at Item No.16 was required to be considered. Respondent No.2 had falsely contended in her letter dated 27.05.2026 to Respondent No.1 that allegations at 15, 16 and 17 were required to be enquired into separately by issuing personal notices. Even this aspect has not been considered by Respondent No.1 properly, in that, by the impugned order, the enquiry officer has been appointed as regards Items No.1 to 14, which the CDO has categorically held that the said allegations have not been proved.

14.4. His submission is that none of the officers have acted in terms of the orders passed by this Court. Let alone in terms of the applicable law, they have acted at the behest of certain members of the Petitioner Club, who have made allegations as regards the conduct of the election.

14.5. He submits that the aspects of election are governed by the byelaws of the Club/Association, which is a contractual document between the members. At most, they give rise to a civil dispute and not to a



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

complaint before the Registrar requiring initiation of an enquiry under Section 25 of the KSR Act.

14.6. The CDO, in this case, having clearly stated that the allegations in respect of Items No.1 to 15 and 17 to 19 had not been established, and with only Item No.16 remaining, an enquiry officer could not have been appointed to enquire into allegations at Item Nos.1 to 14.

14.7. His submission is that once an enquiry has been conducted by the CDO and the report is submitted, without rejecting the enquiry report of the CDO, Respondent No.1 could not have appointed a fresh enquiry officer. In that regard, he submits that Respondent No.1 exceeded the jurisdiction vested in him by directing an enquiry officer to conduct an enquiry into 14 issues which have already been dealt with by the CDO.

14.8. He submits that out of the complainants, Mr. Chandregowda B. V. was a Managing Committee member for the term 2018 to 2022 who also served as Vice-President for the term 2022 to 2024. Mrs. Shobha Vasanth was a



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

Managing Committee Member for the term 2022 to 2024. Mr K. Narayan served as treasurer for the term 2018 to 2022, and he was also a Managing Committee member for the term 2016 to 2018. Mr. P.Muniswamy served as Vice-President for the term 2018 to 2022 and thereafter as Honorary Secretary for the term 2022 to 2024. These persons did not raise any objections/issues to the conduct of the affairs of the Club during that time. They have raised an issue now after having been defeated in the elections.

14.9. On facts, he submits that Respondent No.1 is directed to conduct an enquiry over a 12-year period of the functioning of the Club, as regards which none had raised any allegations or contentions till now. The functioning of the Club over the last 12 years cannot be reopened on the basis of a complaint filed by a disgruntled person, who had lost in the election.

14.10. His submission is that the complainants were also former office bearers of the Club during which the enquiry is sought to be conducted. The audited account and audit reports of the



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

Club had been passed in the AGM and filed with the appropriate Authorities who have also not raised any issue or dispute relating to the filing.

14.11. His submission is also that the enquiry which has been directed to be conducted is beyond the scope of the complaint dated 30.07.2024. A roving enquiry could not have been directed to be conducted by the Registrar into the affairs of a private Club in the manner as done.

14.12. He relies upon the decision of this Court in ***Bangalore Grain Merchants Association v. District Registrar for Societies and Another***,<sup>1</sup> more particularly para 9, which is reproduced hereunder for easy reference:

*"9. Now, we come to the more crucial and controversial question i.e., what is the meaning and import of the expression 'on his own motion' and what is its interrelation to the immediately following clauses of the same sub-section. There could be, no doubt, that the expression 'on his own motion' is synonymous to suo-motu, which according to the dictionary means, 'on one's own initiative'. 'Own motion' obviously implies application of mind and formation of one's own opinion. It does not matter how and from what source he gets information. But, it does not mean that the authority conferred with such power should eschew from consideration information or material furnished by external sources and should look to the information collected by his own self-effort. The exercise of powers suo-motu or on one's*

---

<sup>1</sup> ILR 2001 KAR 766



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

*own motion, cannot and ought not to be construed in a narrow sense and in a sense which defeats the salutary purpose of the provision. No fetters can be placed on the specified authority from the stand point of source material on which it should exercise the power. An authority exercising the suo-moto power is not debarred from obtaining informations and materials from various sources. The only requirement is that on the basis of such informations and materials gathered either on its own initiative or received from other sources, the concerned authority has to come to the conclusion, on an active application of mind whether to take up the enquiry or not. Undoubtedly, the decision must be his own. He cannot mechanically act at the behest of some other person or authority without independent application of mind to arrive at a conclusion on the need and expediency of holding an enquiry. It is not argued before us nor can it be disputed that the suo-motu exercise of power does not cease to be such merely because a member of the public or someone in the know of things brings relevant facts to the notice of the prescribed authority, in this case, the Registrar. The Registrar, on a consideration of such facts has to decide whether it is a fit case warranting initiation of enquiry in the over-all interests of the society. The decision must be his and the decision must of course be based on relevant factors, but there is no limitation as to the sources by which he should be prompted to action."*

14.13. By relying on **Bangalore Grain Merchants Association**, his submission is that for the purpose of initiating an enquiry under Section 25 of the KSR Act, there is no restriction as to the source from which the Registrar may receive information or material. Such information or material may emanate from an external source, including a member of the public. What is material is that, upon



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

consideration of the information or material so received or gathered, the Registrar must independently apply his mind and form his own opinion as to whether the circumstances warrant initiation of an enquiry. The decision to initiate the enquiry must, therefore, be that of the Registrar himself and cannot be a mechanical action taken at the behest or direction of another person or authority.

14.14. Thus, the expression "on his own motion" does not require the Registrar to act only on information independently collected by him. It requires that, irrespective of the source of the information, the decision to invoke the statutory power must be preceded by an active, independent and conscious application of mind by the Registrar to the relevant material and to the need and expediency of holding an enquiry.

14.15. In the present case, merely because a complaint has been filed without application of mind by the Registrar and contrary to the report of the CDO, who has reported that allegations at Items No.1 to 15 and 17 to 19 are not proven, has directed an enquiry to be



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

conducted without accepting or rejecting the CDO's report, much less applying his mind as to whether there was an enquiry required to be conducted or not. There being no independent satisfaction recorded by Respondent No.1 while appointing an enquiry officer, his submission is that the impugned order is required to be set aside.

15. Ms. Prathima Honnapura, learned Additional Advocate General, would submit that:

15.1. The allegations which have been made against the functioning of the Club are serious in nature. The Registrar was of the opinion that an enquiry has to be conducted.

15.2. Her submission is that the report of the CDO has not been accepted by the Registrar. The said report not having been accepted, the Registrar was always free to appoint a fresh enquiry officer who has been so appointed, and no fault can be found with the actions on the part of Respondent No.1.

15.3. She submits that there have been 19 grave allegations which have been made against the



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

functioning of the Petitioner-Club. Respondent No.1, who is the Registrar of Societies and who is the supervisory Authority for Societies registered under the Societies Registration Act, is empowered to ensure that the affairs of societies registered under the Act are conducted in a proper manner and on that ground, she submits that Respondent No.1 is discharging his duties to achieve the above and no fault can be found in relation thereto.

16. Sri A.M.Vijay, learned counsel appearing for Respondent No.5-complainant, would support the actions taken by the Respondent-Registrar. His submission is that there being several allegations as per the charges framed, all of these need to be enquired into. They are serious in nature, affecting the running and operation of the club. The Registrar is authorised to carry out such an enquiry on the basis of the complaints which have been received from members like Respondent No.5. He submits this Court ought not to intercede in the matter and dismiss the writ petition.
17. Heard Sri Udaya Holla, learned Senior Counsel appearing for the Petitioner, Smt. Prathima



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

Honnapura, learned Additional Advocate General appearing for Respondents No.1 to 4 and Sri A.M.Vijay, learned counsel appearing for Respondent No.5. Perused papers.

18. The points that would arise for determination are:

- (i) Whether the first Respondent, before exercising power under Section 25 of the KSR Act, was required to independently apply his mind to the complaint, the replies of the Petitioner and the material available on record and arrive at his own satisfaction regarding the need and expediency of holding an enquiry?**
- (ii) Whether the first Respondent, having regard to the preliminary enquiry conducted by the Co-operative Development Officer and the report submitted pursuant thereto, was justified in directing a fresh enquiry into the allegations which had already been considered in the said report, without recording reasons for differing from or not accepting the said report?**
- (iii) Whether the enquiry directed under the impugned order dated 22.07.2026 travels beyond the scope of the original complaint and, in particular, whether an enquiry into the affairs of the Petitioner-Society over a period of twelve years could have been directed without recording independent reasons warranting such an enquiry?**



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

**(iv) Whether the impugned order dated 22.07.2026 is liable to be quashed for want of independent application of mind and satisfaction as required for exercise of power under Section 25 of the KSR Act?**

**(v) What Order?**

19. This Court answers the above points as follows:

20. **Answer to Point No. (i): Whether the first Respondent, before exercising power under Section 25 of the KSR Act, was required to independently apply his mind to the complaint, the replies of the Petitioner and the material available on record and arrive at his own satisfaction regarding the need and expediency of holding an enquiry?**

20.1. Sri Udaya Holla, learned Senior Counsel for the Petitioner, submits that the order dated 22.07.2026 is arbitrary, illegal and without jurisdiction. His principal submission is that Respondent No.1 did not independently consider the complaint dated 30.07.2024, the two replies filed by the Petitioner Club on 20.11.2025 and 12.01.2026, or the enquiry report submitted by the Co-operative Development Officer before deciding to appoint a fresh enquiry officer.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

20.2. It is further submitted that the officers concerned did not act independently but proceeded at the instance of certain members of the Club who had made allegations regarding the election held on 30.06.2024. Learned Senior Counsel relies upon the decision of this Court in ***Bangalore Grain Merchants Association v. District Registrar for Societies and Another*** [ILR 2001 KAR 766], particularly paragraph 9. In that decision, while considering the expression 'on his own motion' occurring in Section 25(1) of the KSR Act, this Court held that the decision must be that of the authority itself and that the authority cannot mechanically act at the instance of another person or authority without applying its own mind to the need and expediency of an enquiry.

20.3. According to learned Senior Counsel, the source of the information is not material. Information may come from a member of the public or from a member of the society. What is important is that the decision to hold an enquiry must ultimately be the Registrar's own decision, reached after considering the material placed before him. Applying this principle, he submits



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

that Respondent No.1 merely acted upon the letter dated 27.05.2026 addressed by Respondent No.2, without examining whether a fresh enquiry was necessary, particularly when the Co-operative Development Officer had already found 18 out of the 19 allegations to be unproved.

20.4. Smt. Prathima Honnapura, learned Additional Advocate General appearing for Respondents No.1 to 4, submits that the allegations concerning the functioning of the Club are serious and that Respondent No.1 was satisfied that an enquiry was necessary. According to her, Respondent No.1, as the Registrar of Societies and the supervisory authority under the KSR Act, is empowered to ensure that the affairs of registered societies are properly conducted. She submits that Respondent No.1 was only exercising that statutory responsibility and that no fault can be found with his action.

20.5. Sri A.M. Vijay, learned counsel for Respondent No.5, adopts a similar submission. He contends that the allegations concerning the functioning of the Club are serious, that the Registrar is



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

empowered to enquire into complaints received from members, and that the writ petition ought to be dismissed.

20.6. This Point raises a question of law at the threshold: whether Section 25 of the KSR Act requires the Registrar to independently consider the complaint and the material placed before him before directing an enquiry, or whether it is sufficient that the circumstances generally appear to warrant an enquiry.

20.7. Sub-section (1) of Section 25 of the KSR Act, reads as under:

**"25. Enquiry by the Registrar, etc.—**(1) *The Registrar may on his own motion and shall on the application of the majority of the members of the governing body or of not less than one-third of the members of the society, hold an enquiry or direct some person authorised by him by order in writing in accordance with the rules made in this behalf to hold an enquiry into the constitution, working and financial condition of a registered society."*

20.8. Sub-section (1) thus contemplates two situations. The first is where the Registrar acts 'on his own motion'. In that situation, the power is discretionary. The second is where an application is made by the majority of the members of the governing body or by not less than one-third of the members of the society.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

In that situation, the statute uses the expression 'shall', and the Registrar is required to hold an enquiry or direct an authorised person to do so.

20.9. It is therefore necessary to determine which of these two situations arises in the present case. The complaint dated 30.07.2024 was submitted by certain members of the Club, including Respondent No.5. It was not an application by the majority of the members of the governing body and was not supported by not less than one-third of the members of the Club. The Petitioner states, without dispute, that the Club has about 4,718 members.

20.10. A complaint made by a limited number of individuals does not, by itself, constitute an application falling within the mandatory part of Section 25(1). The present enquiry must, therefore, be treated as one initiated under the discretionary 'own motion' power. The complaint constituted information placed before Respondent No.1; it did not, by itself, require him to order an enquiry.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

20.11. The meaning of 'own motion' is explained by this Court in ***Bangalore Grain Merchants***. Paragraph 9 of the said decision makes it clear that an authority exercising suo motu power may receive information or material from any source. However, after receiving such material, the authority must itself consider whether an enquiry should be undertaken. The decision cannot be a mechanical acceptance of the request or opinion of another person or authority.

20.12. The distinction is therefore between the source of information and the decision to act upon that information. There is nothing objectionable merely because the information comes from a member of the society or from a person who may have an interest in the matter. What is required is that the Registrar must independently consider the material and decide whether an enquiry is necessary and expedient.

20.13. There is also a clear reason for requiring such independent consideration. An enquiry under Section 25 is not merely a preliminary or administrative exercise. Once an enquiry is



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

ordered, the Registrar or the authorised officer obtains substantial powers. These include access to the books, accounts, documents, securities, cash and other property of the society; the power to summon persons having custody of such material; the power to summon persons having knowledge of the affairs of the society and examine them on oath; and, in certain circumstances, the power to require or convene a general meeting. The result of the enquiry must also be communicated to the society.

20.14. These powers can have a significant effect on the functioning of the society and on persons holding office in it. The power under Section 25 must therefore be exercised after the Registrar has considered the material himself and formed a satisfaction that an enquiry is necessary and expedient. The requirement of independent consideration is the safeguard against the power being exercised mechanically.

20.15. The scope of judicial review must, however, be kept in view. In proceedings under Article 226 of the Constitution, this Court is not required to



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

decide whether the allegations in the complaint are true or whether, on their merits, an enquiry would be desirable. Those matters fall within the statutory authority of the Registrar. The question for consideration is narrower: whether the decision-making process shows that Respondent No.1 independently considered the material before him, or whether he merely accepted the course suggested by another person or authority. That is a question concerning the legality of the decision-making process and is amenable to judicial review.

20.16. In the present case, neither the learned Additional Advocate General nor learned counsel for Respondent No.5 has been able to point to any part of the impugned order, or to any other material on record, showing that Respondent No.1 independently considered the two replies filed by the Petitioner, the enquiry report of the Co-operative Development Officer, or the reason for requiring a fresh enquiry into the fourteen allegations which had already been found unproved.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

20.17. It is not disputed that the Registrar has supervisory powers over registered societies or that serious allegations may justify an enquiry. Those propositions, however, do not answer the question arising in the present case. The issue is not whether Respondent No.1 had the power to order an enquiry, but whether that power was exercised in the manner required by Section 25. The seriousness of the allegations may be a relevant consideration, but it cannot replace the requirement that the Registrar himself must consider whether an enquiry is necessary and expedient.

20.18. For these reasons, this Court holds that, before exercising the power under Section 25 of the KSR Act by passing the impugned order, Respondent No.1 was required to independently consider the complaint dated 30.07.2024, the replies filed by the Petitioner Club, the enquiry report and the other material available on record, and to form his own satisfaction as to whether a further enquiry was necessary and expedient. This follows from the discretionary nature of the 'own motion' power under Section



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

25(1), as explained by this Court in ***Bangalore Grain Merchants.***

20.19. This Court answers point no. (i) by holding that before exercising the power under Section 25 of the KSR Act, Respondent No.1 was required to independently consider the complaint, the replies filed by the Petitioner and the other material available on record, and to form his own satisfaction as to the need and expediency of holding an enquiry.

21. **Answer to Point No. (ii): Whether the first Respondent, having regard to the preliminary enquiry conducted by the Co-operative Development Officer and the report submitted pursuant thereto, was justified in directing a fresh enquiry into the allegations which had already been considered in the said report, without recording reasons for differing from or not accepting the said report?**

21.1. Sri Udaya Holla, learned Senior Counsel for the Petitioner, submits that the Co-operative Development Officer was appointed by Respondent No.2, the Assistant Registrar, to conduct a preliminary enquiry. She considered all nineteen allegations in the complaint dated 30.07.2024 and submitted her report. Eighteen of the nineteen allegations were found not



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

**NC: 2026:KHC:55530**  
**WP No. 24601 of 2026**

proved. In respect of allegation No.15, she noted that a civil suit was already pending in which the complainant could seek relief. As regards allegation No.17, she recorded a finding that it had not been proved. Only allegation No.16 was found to require further enquiry.

21.2. It is submitted that Respondent No.2, while forwarding the report to Respondent No.1 under letter dated 27.05.2026, suggested that allegations Nos.15, 16 and 17 could be subjected to a statutory enquiry on the ground that personal notices had not been issued to the persons concerned during the preliminary enquiry. In respect of the remaining allegations, Respondent No.2 requested that the report be accepted as it stood.

21.3. Learned Senior Counsel submits that this position itself is open to question, particularly in relation to allegation No.17, since the report contains a finding on merits that the allegation was not proved. His principal grievance, however, is that the impugned order goes far beyond the course suggested by Respondent



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

No.2. Instead of limiting the fresh enquiry to allegations Nos.15 to 17, Respondent No.1 directed an enquiry into fourteen items.

21.4. Learned Senior Counsel further submits that, once the preliminary enquiry had been completed and a report submitted, Respondent No.1 could not simply reopen allegations which had already been examined and found unproved without first considering the report and recording reasons for disagreeing with it. No such reasons are found in the record. According to him, directing a fresh enquiry into fourteen allegations without explaining why the earlier findings were being disregarded amounts to an improper exercise of the power under Section 25 of the KSR Act.

21.5. Smt. Prathima Honnapura, learned Additional Advocate General appearing for Respondents No.1 to 4, submits that Respondent No.1 did not accept the report of the Co-operative Development Officer. Once the report was not accepted, according to her, Respondent No.1 was entitled to appoint a fresh enquiry officer.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

She submits that there is therefore no illegality in the impugned order.

21.6. Sri A.M. Vijay, learned counsel for Respondent No.5, submitted that there were serious allegations made in the complaints and it is for that reason that the registrar has directed an enquiry.

21.7. The question under this Point arises from the factual circumstances of the present case and follows from the legal requirement considered under Point No.(i). Respondent No.1 was required to apply his independent mind before directing a fresh enquiry. The principle stated in ***Bangalore Grain Merchants Association*** is that the decision must be that of the authority itself and cannot be made mechanically. That principle need not be repeated here. The question now is whether Respondent No.1 could disregard the report of the Co-operative Development Officer and order a fresh enquiry into the same allegations without stating why the earlier report was not accepted.

21.8. The answer follows from the requirement of independent application of mind. When an



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

authority has before it a report of an enquiry conducted pursuant to its statutory process, and decides not to act upon that report, it must at least consider the report and identify the reasons for which it finds the report insufficient. It is not necessary that the authority write a detailed order on every finding. But it cannot proceed as though the report does not exist. Failure to consider the report would, in substance, amount to failure to apply the required independent mind.

21.9. The contents of the report are therefore material. On the undisputed sequence of events, the Co-operative Development Officer found allegations Nos.1 to 15 and 17 to 19 not proved. Thus, eighteen of the nineteen allegations were not proved. Only allegation No.16 was considered to require further enquiry. In relation to allegation No.15, the report referred to the pending civil suit in which the complainant could seek relief. In relation to allegation No.17, the report specifically recorded that the allegation was not proved.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

21.10. While forwarding the report on 27.05.2026, Respondent No.2 suggested a limited course. She proposed that the report be accepted in respect of the allegations other than Nos.15, 16 and 17, and that these three allegations alone be considered in a fresh statutory enquiry on the ground that personal notices had not been issued to the persons concerned during the preliminary enquiry. The correctness of this recommendation need not be decided for the present purpose. It is sufficient to note that Respondent No.2 herself proposed reopening only three of the nineteen allegations. The recommendation also requires some qualification in relation to allegation No.17, since the report contains a finding on that allegation that it was not proved.

21.11. The impugned order does not follow even this limited course. It does not restrict the fresh enquiry to allegations Nos.15, 16 and 17. Instead, the newly appointed enquiry officer, Mr. Pavan Kumar, has been directed to enquire into fourteen separately numbered items. On a comparison of the allegations in the original complaint with the items mentioned in the



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

impugned order, at least three of the fourteen items broadly correspond to original allegations Nos.15, 16 and 17. The remaining items, however, appear to relate to allegations which had already been considered by the Co-operative Development Officer and found not proved. The impugned order extends considerably beyond the three allegations identified by Respondent No.2 for further enquiry.

21.12. There is nothing on record explaining why Respondent No.1 departed from the report in respect of the remaining allegations. There is no order or recorded reason showing that he disagreed with the findings of the Co-operative Development Officer, found the report deficient in any particular respect, or considered any fresh material requiring those allegations to be reopened.

21.13. The submission of the learned Additional Advocate General that the report was simply not accepted does not address this issue. Non-acceptance is the result; it does not disclose the reason for arriving at that result. The



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

question is why the report was not accepted, particularly when the impugned order reopens allegations which had already been examined. No such reason has been shown either in the impugned order or in the material placed before this Court.

21.14. This Court is not holding that Respondent No.1 was required to write a detailed order dealing separately with every finding in the report. Such a requirement would be excessive. A brief order indicating that the report had been considered, identifying the deficiency found in it and explaining why a fresh enquiry was considered necessary would have been sufficient.

21.15. What is material is that the authority must show, at least in substance, that the earlier report was considered before a fresh enquiry was ordered into the same subject matter. In the present case, the impugned order contains no such indication.

21.16. It is also undisputed that the Co-operative Development Officer was appointed by Respondent No.2, the Assistant Registrar, and



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

not by Respondent No.1. The Petitioner has referred to this circumstance but has not challenged the validity of her appointment or made it an independent ground for relief. This Court, therefore, does not base its decision on that circumstance. It forms part of the sequence of events, but the finding recorded above rests on the failure of Respondent No.1 to explain his departure from the report and, in particular, from the limited course suggested by Respondent No.2 in her letter dated 27.05.2026.

21.17. For these reasons, this Court finds that Respondent No.1 was not justified in directing a fresh enquiry into allegations which had already been considered and, in most cases, found not proved by the Co-operative Development Officer, without recording any reason for differing from or not accepting that report. The requirement of independent application of mind, identified under Point No.(i), has not been satisfied on the facts of the present case.

21.18. This Court answers Point No. (ii) by holding that the first Respondent, having regard to the



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

preliminary enquiry conducted by the Co-operative Development Officer and the report submitted pursuant thereto, was not justified in directing a fresh enquiry into the allegations which had already been considered in the said report, without recording reasons for differing from or not accepting the said report.

22. **Answer to Point No. (iii): Whether the enquiry directed under the impugned order dated 22.07.2026 travels beyond the scope of the original complaint and, in particular, whether an enquiry into the affairs of the Petitioner-Society over a period of twelve years could have been directed without recording independent reasons warranting such an enquiry?**

22.1. Sri Udaya Holla, learned Senior Counsel for the Petitioner, submits that the enquiry directed by the impugned order is wider than the complaint dated 30.07.2024 in two respects.

22.2. First, he submits that the allegations concerning the election held on 30.06.2024 arise from the byelaws of the Club, which govern the relationship between its members. According to him, disputes concerning the election are essentially civil disputes between the members and do not provide a basis for a



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

statutory enquiry by the Registrar under Section 25 of the KSR Act.

22.3. Second, learned Senior Counsel submits that the impugned order directs an enquiry into the affairs of the Club for a period of twelve years, although no such complaint was made during that period. He submits that the complainants were themselves office-bearers of the Club and had not raised objections to its functioning while in office. According to him, the complaint was made only after they were defeated in the election held on 30.06.2024. He also points out that the audited accounts for the relevant years were placed before and approved by the General Body and were filed before the concerned authorities without objection.

22.4. His submission, in substance, is that the impugned order has enlarged the enquiry into a general examination of the affairs of the Club over twelve years, without any independent reason being recorded for doing so.

22.5. The learned Additional Advocate General and learned counsel for Respondent No.5 have essentially submitted that the allegations are



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

serious and that Respondent No.1 has supervisory powers over the Club.

22.6. Two questions arise under this Point. First, whether the matters included in the impugned order can be traced to the complaint dated 30.07.2024. Second, whether the twelve-year period specified in respect of some of those matters could have been directed without recording reasons for extending the enquiry to that period.

22.7. The submission concerning the election need not detain this Court. Section 25 of the KSR Act empowers the Registrar to enquire into the 'constitution, working and financial condition' of a registered society. The manner in which the governing body is constituted through an election cannot, merely because the election is also governed by the byelaws, be said to fall outside the scope of the provision.

22.8. The original complaint did contain allegations relating to the election held on 30.06.2024, including alleged violations of the byelaws, non-provision of smart card readers, the alleged wrongful exclusion of Mr. K. Narayana from



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

contesting the election, and the alleged convening of an illegal Special General Body meeting.

22.9. However, none of the fourteen items specified in the impugned order concerns the conduct of that election. The submission regarding the civil nature of election disputes would have been relevant if the impugned order had directed an enquiry into the election. It does not. This Court, therefore, need not decide that wider question.

22.10. The real issue is whether the fourteen items mentioned in the impugned order can be traced to the complaint and whether the twelve-year period specified for some of them has any basis in the complaint.

22.11. For this purpose, the nineteen allegations in the complaint have to be compared with the fourteen items in the impugned order.

22.12. On such comparison, three of the fourteen items broadly correspond to original allegations Nos.15, 16 and 17. They concern the signing of a cheque exceeding Rs.50 lakhs without



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

authorisation of the Managing Committee, renovation works carried out over a period of years, and private commercial functions involving alleged unaccounted cash collections. These are broadly consistent with the three allegations identified by Respondent No.2 in her letter dated 27.05.2026 and have already been considered under Point No.(ii).

22.13. Another group of items concerns liquor sales, alleged misappropriation in the party hall, General Body and Special General Body meetings, the CRED party, legal expenses incurred in defending cases, and events allegedly conducted without quotations. These broadly correspond to original allegations Nos.2, 3, 4, 5, 10, 11, 12, 13, 14 and 18.

22.14. The Co-operative Development Officer had already considered these allegations and found them not proved. Respondent No.2 had also asked Respondent No.1 to accept the report rather than reopen them. No reason has been shown for departing from that position.

22.15. There is also an internal duplication in the impugned order. Two of the fourteen items



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

appear to concern the same subject, namely the conduct of events over the preceding twelve years without obtaining quotations. This duplication, by itself, would not invalidate the order. It is, however, a circumstance which supports the finding already reached under Point No.(ii) that the scope of the fresh enquiry was not settled with sufficient care.

22.16. Two other items require separate consideration because they do not appear to correspond to any of the nineteen allegations in the original complaint.

22.17. The first concerns a proposal to construct a basement car-parking facility at the Club's tennis court and whether such construction would violate the terms of the lease granted by the Bangalore Development Authority. The second concerns the alleged transfer of the membership of Mr. P. Muniswamy to his son and the subsequent waiver of recovery of approximately Rs.1.17 crore said to have been misappropriated by him.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

22.18. On the material before this Court, neither matter appears to form part of the original complaint dated 30.07.2024.

22.19. The fact that these matters are not mentioned in the complaint does not, by itself, prevent the Registrar from considering them. As held under Point No.(i), the source of information is not material. If Respondent No.1 received information from another source, he could consider it. But in that event, he was required to independently consider whether those matters warranted an enquiry. Nothing has been placed on record to disclose such consideration or satisfaction.

22.20. The twelve-year period requires a somewhat different consideration. The complaint itself contemplated examination over a substantial period in respect of some allegations. Allegations Nos.4 and 5 concerned the functioning of the General Body and Managing Committee during the 'last 6 terms. Since the Club conducts elections every two years, this corresponds broadly to twelve years. Allegation



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

No.16 also concerned renovation works stated to have continued over a similar period.

22.21. Therefore, the mere reference to a period of about twelve years cannot, in respect of those allegations, be said to show a failure to apply mind, since the complaint itself provided the relevant temporal basis.

22.22. The difficulty arises because the impugned order applies the same twelve-year period to matters for which the original complaint contained no such limitation. In particular, the order extends the period to the allegation concerning liquor sales and to the conduct of events without obtaining quotations.

22.23. Where the complaint itself does not relate an allegation to a twelve-year period, extending the enquiry to that period requires the Registrar to give some reason for doing so. This is particularly so when the enquiry concerns the affairs of a private society and extends well beyond the period specifically mentioned in the complaint. No such reason is found in the record.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

22.24. The Petitioner has also relied upon the alleged conduct and motive of the complainants, contending that they were former office-bearers who raised no objection while in office and approached the Registrar only after losing the election.

22.25. This Court does not consider it necessary to express any view on that contention. Determining the motive of the complainants would require an assessment of evidence which is not before the Court in these proceedings. The decision on this Point therefore does not rest upon the conduct or motive of the complainants. It rests on the comparison between the complaint and the impugned order and on the absence of recorded reasons for the additional matters and the wider temporal scope of the enquiry.

22.26. On the above analysis, this Court finds that the enquiry directed by the impugned order travels beyond the original complaint in two respects. First, it includes at least two matters which do not appear in the complaint. Second, it extends the twelve-year period to allegations which



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

were not presented in the complaint as covering that period. No independent reasons have been recorded by Respondent No.1 for making either of these extensions.

22.27. This Court answers Point No. (iii) by holding that the enquiry directed under the impugned order travels beyond the scope of the original complaint to the extent identified above. Further, insofar as the twelve-year period has been extended to allegations which were not so framed in the complaint, the impugned order does not disclose independent reasons for doing so.

23. **Answer to Point No. (iv): Whether the impugned order dated 22.07.2026 is liable to be quashed for want of independent application of mind and satisfaction as required for exercise of power under Section 25 of the KSR Act?**

23.1. Sri Udaya Holla, learned Senior Counsel for the Petitioner, raises a further issue arising from the order passed by this Court in W.P.No.24813/2024. The said petition was filed by the Petitioner Club challenging the notice dated 29.08.2024 and was disposed of by order dated 13.11.2025. By that order, this Court



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

extended the time granted under the notice by one week, permitted the Petitioner to submit its reply on or before 21.11.2025, and directed Respondent No.2 to consider the reply and pass necessary orders.

23.2. The Petitioner submitted its reply on 20.11.2025, within the time granted. Learned Senior Counsel submits that no order was passed on the reply. Instead, Respondent No.4 issued a further notice dated 05.01.2026 calling for an additional explanation. The Petitioner replied on 12.01.2026, contending, among other things, that the complainants were repeatedly approaching different authorities with allegations against the Club and its office-bearers. No order was passed on this reply either. Respondent No.2 thereafter proceeded to appoint the Co-operative Development Officer to conduct an enquiry into the complaint. According to learned Senior Counsel, this course was contrary to the direction issued by this Court in W.P.No.24813/2024.

23.3. It is therefore submitted that the impugned order cannot be sustained. According to learned



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

Senior Counsel, the Petitioner had placed its replies before the authorities pursuant to the earlier order of this Court, but those replies were never considered or decided. The subsequent enquiry was therefore initiated without first complying with the direction to consider the Petitioner's reply and pass necessary orders.

23.4. His submission is that this circumstance demonstrates that Respondent No.1 did not exercise the power under Section 25 after the independent consideration required by law.

23.5. The Respondents have made no submission on why the direction issued by this Court in W.P.No.24813/2024 was not complied with, or explaining why no order was passed on the two replies filed by the Petitioner before the Co-operative Development Officer was appointed.

23.6. The submissions of the learned Additional Advocate General and learned counsel for Respondent No.5 remain that the allegations are serious, Respondent No.1 has supervisory powers over the Club, and the exercise of that power ought not to be interfered with.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

23.7. The findings already recorded under Points No.(i) to (iii) need not be repeated. The question at this stage is whether the additional circumstance arising from W.P.No.24813/2024 provides a further ground to interfere with the impugned order.

23.8. By order dated 13.11.2025 in W.P.No.24813/2024, this Court directed Respondent No.2 to consider the Petitioner's reply and pass necessary orders. The Petitioner submitted its reply on 20.11.2025. No order was passed on that reply.

23.9. Instead, Respondent No.4 issued a further notice dated 05.01.2026. The Petitioner submitted its response on 12.01.2026. That response also did not result in any order. The next step was the appointment of the Co-operative Development Officer to enquire into the original complaint.

23.10. Thus, the direction to consider the Petitioner's reply and pass necessary orders was not acted upon. The process moved to a further notice and thereafter to a fresh enquiry without the original reply being dealt with.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

23.11. The material fact is that no order was passed on the Petitioner's reply at all. The reply was neither accepted nor rejected, and the matters raised in it were not dealt with before the authorities proceeded to the next stage. The Respondents have not explained this departure from the course directed by this Court.

23.12. This omission is relevant to the present case because the replies formed part of the material which was required to be considered before further action was taken. The failure to deal with them is consistent with the deficiency already noticed in the decision-making process, particularly the failure to explain why the earlier enquiry report was being disregarded.

23.13. The Court is not required to determine whether the allegations made in the complaint were true or whether an enquiry was otherwise warranted. The issue is whether the statutory power was exercised after proper consideration of the material before the authority. On the record, that requirement has not been satisfied.

23.14. The Court also does not sit in appeal over the merits of the allegations or substitute its own



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

**NC: 2026:KHC:55530**  
**WP No. 24601 of 2026**

view for that of Respondent No.1. Judicial review in the present case is confined to the decision-making process.

23.15. Here, the record shows that the Petitioner's replies were not dealt with as directed by this Court; the report of the Co-operative Development Officer was not shown to have been considered and rejected for stated reasons; and the scope of the fresh enquiry was enlarged without adequate reasons. These matters, taken together, show that the satisfaction required for exercise of power under Section 25 was not properly formed.

23.16. For these reasons, the impugned order dated 22.07.2026 cannot be sustained. It is liable to be quashed for failure to demonstrate the independent application of mind and satisfaction required before exercising the power under Section 25 of the KSR Act.

23.17. This Court answers Point No. (iv) by holding that the impugned order dated 22.07.2026 is liable to be quashed, as the record does not disclose the independent application of mind



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

and satisfaction required for exercise of power under Section 25 of the KSR Act.

24. **Answer to Point No. (v): What Order?**

24.1. In view of the answers to the above points, this Court passes the following

**ORDER**

- (i) The writ petition is **allowed**.
- (ii) The impugned order dated 22.07.2026 bearing No.DRB-2/SOR/KALUM 25/03/2026-27 (Annexure-A), passed by Respondent No.1, is quashed.
- (iii) Respondent No.1 is at liberty to proceed afresh in accordance with law, upon an independent consideration of the complaint dated 30.07.2024, the replies filed by the Petitioner Club, the report of the Co-operative Development Officer and such other material as may lawfully be placed before him, and, if Respondent No.1 does so proceed, to pass a fresh, reasoned order recording his own independent satisfaction as to the need and expediency of an enquiry and as to its scope,



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified



CNR: KAHC010544852026

NC: 2026:KHC:55530  
WP No. 24601 of 2026

consistently with the findings recorded in this order. This liberty is confined to the exercise of power under Section 25 of the KSR Act in accordance with law, and nothing in this order shall be read as expressing any opinion, one way or the other, on the merits of the allegations contained in the complaint dated 30.07.2024.

This Court has been assisted by Ms. Harshada RB, Law Clerk, in reviewing this Judgment.



Digitally Signed By:  
SURAJ GOVINDA RAJ  
06/10/2026, 17:03, Bengaluru  
Verified

**(SURAJ GOVINDARAJ)**  
**JUDGE**

KTY

List No.: 3 Sl No.: 2