



CNR: KAHC010548882026

NC: 2026:KHC:42104
WP No. 24632 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 7TH DAY OF AUGUST, 2026
BEFORE
THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ
WRIT PETITION NO. 24632 OF 2026 (GM-KSR)

BETWEEN:

SRI. MOHAN K.N.
S/O. NAYAYAN,
AGED ABOUT 52 YEARS,
MEMBERSHIP NO. 3140,
CONTESTING CANDIDATE
R/O NO. 1527,
39TH F CROSS, 4TH T BLOCK,
JAYANAGARA,
BENGALURU - 560 041.

...PETITIONER

(BY SRI. CHANDRAKANTH. R. PATEL, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
DEPARTMENT OF CO-OPERATION,
M.S.BUILDING, DR. AMBEDKAR ROAD,
VIKASASOUDHA,
BENGALURU - 560 001.
REPRESENTED BY ITS SECRETARY.
2. THE DISTRICT REGISTRAR
REGISTRAR OF CO-OP SOCIETIES
BENGALURU ZONE, NO. 146
3RD FLOOR, SAHAKARASOUDHA
8TH CROSS, 3RD MAIN
MARGOSA ROAD, MALLESHWARAM
BENGALURU - 560 003
3. COSMOPOLITAN CLUB (REGD)
22ND CROSS, 3RD BLOCK

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



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JAYANAGAR,
BENGALURU - 560 041
REPRESENTED ITS SECRETARY
REGISTRER UNDER
THE MYSORE REGISTRATION ACT 1960.

4. H.S SATHYANARAYA
RETURNING OFFICER/ ELECTION OFFICER
COSMOPOLITAN CLUB(REGD)
22ND CROSS, 3RD BLOCK,
JAYANAGAR,
BENGALURU - 560 041.
5. S.C KARIGOWDA
S/O KNOWN TO THE PETITIONER
AGED ABOUT 84 YRS
PRESIDENT
COSMOPOLITAN CLUB(REGD)
22ND CROSS, 3RD BLOCK
JAYANAGAR,
BENGALURU - 560 011.
6. PRASAD THAALAM
A/O KNOW TO THE PETITIONER
AGED ABOUT 70 YRS
PRESIDENT
COSMOPOLITAN CLUB(REGD)
22ND CROSS, 3RD BLOCK
JAYANAGAR, BENGALURU - 560 011

...RESPONDENTS

(BY SMT. PRATHIMA HONNAPUR, AAG A/W
SRI. DEVARAJ C.H., GA FOR R1& R2;
SRI. VIVEK SUBBA REDDY, SR. COUNSEL FOR
SRI. S.RAJASHEKAR ADVOCATE FOR R5)

THIS WP IS FILED UNDER ARTICLE 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF
CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR
DIRECTION QUASHING THE CALENDAR OF EVENTS DATED
10.07.2026 VIDE ANNEXURE-F ISSUED BY RESPONDENT NO.4,



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THE ELECTION OFFICER, AND ALL CONSEQUENTIAL ELECTION PROCEEDINGS, INCLUDING THE ELECTION NOTIFICATION, VOTERS LIST, SCRUTINY OF NOMINATIONS AND THE FINAL LIST OF CONTESTING CANDIDATES AND ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION DECLARING THAT RESPONDENT NOS.5 AND 6 ARE DISQUALIFIED FROM CONTESTING THE ELECTION TO THE MANAGING COMMITTEE OF RESPONDENT NO.3 CLUB UNDER BYE-LAW NO.13(D)(I)(A) OF THE AMENDED BYE-LAWS.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ



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ORAL ORDER

1. Learned AGA is directed to accept notice for respondent Nos.1 and 2.
2. Sri. S. Rajashekar, learned counsel accepts notice for respondent Nos.3, 5 and 6.
3. Notice to respondent No.4 is dispensed with.
4. The petitioner is before this Court seeking for the following reliefs:

"a) Issue a writ of Certiorari or any other appropriate writ, order or direction quashing the Calendar of Events dated 10.07.2026 vide Annexure-F issued by Respondent No.4, the Election Officer, and all consequential election proceedings, including the election notification, voters' list, scrutiny of nominations and the final list of contesting candidates.

b) Issue a writ of Mandamus or any other appropriate writ, order or direction declaring that Respondent Nos.5 and 6 are disqualified from contesting the election to the Managing Committee of Respondent No.3 Club under Bye-law No.13(d) (i)(a) of the amended Bye-laws vide Annexure-C.

c) Issue a writ of Mandamus or any other appropriate writ, order or direction directing



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Respondent No.2 to appoint an Administrator to manage the affairs of Respondent No.3 Club and conduct the election afresh in accordance with the order dated 01.07.2026 passed in W.P. No.19732/2026, the Karnataka Societies Registration Act, 1960 and the amended Bye-laws of the Club Annexure- D.

d) Grant such other writ, order or direction as this Hon'ble Court deems fit in the facts and circumstances of the case, including an award of costs, in the interest of justice and equity."

5. Though several prayers have been made in the petition, the substance of the grievance urged by the learned counsel for the petitioner is that the order dated 01.07.2026 passed by this Court in W.P. No.19732/2026 has not been complied with by respondent No.2. According to the petitioner, this Court had required that a suitable person be appointed to supervise the conduct of the election process until declaration of the results. It is contended that, though an Observer has been appointed, such appointment was made only on 31.07.2026, i.e., after publication of the calendar of events. The submission of the learned counsel for the



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petitioner is that the election process commences with the appointment of the Returning Officer and, therefore, the Observer ought to have been appointed from that stage and continued until declaration of the election results.

6. The order dated 01.07.2026 came to be passed on the basis of the concession made by the learned Senior Counsel appearing for the petitioner and the learned Senior Counsel appearing for the respondent, both of whom agreed that, instead of the litigation continuing, the elections would be conducted on 09.08.2026. The said order, therefore, has to be understood in the context in which it came to be passed and the object sought to be achieved thereby.
7. It was also submitted by Sri Jayakumar S. Patil, learned Senior Counsel appearing for respondent No.5, who is another member of the Club, that on



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earlier occasions the elections had not been conducted in a peaceful manner and, therefore, supervision of the election was necessary. However, the apprehension expressed was essentially with regard to the actual polling and casting of votes and not with regard to each and every step of the election process commencing from the appointment of the Returning Officer.

8. The background in which the order dated 01.07.2026 came to be passed is already within the knowledge of this Court, particularly having regard to the earlier proceedings and the circumstances which led to the passing of the said order. In that context, the mere fact that the Observer came to be appointed on 31.07.2026, after publication of the calendar of events, cannot by itself be construed as non-compliance with the order dated 01.07.2026. The material consideration is that the Observer was appointed well before the scheduled date of polling,



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namely, 09.08.2026, and was intended to supervise the conduct of the election.

9. Learned Additional Advocate General, on instructions, submits that the Observer would remain present throughout the conduct of the election and continue to supervise the election process until declaration of the election results. The said submission sufficiently addresses the requirement flowing from the order dated 01.07.2026 passed in W.P. No.19732/2026. In view of the assurance given by the learned Additional Advocate General, no further direction in that regard is called for.
10. No other ground has been urged calling for interference. Accordingly, the writ petition stands dismissed.
11. Learned Additional Advocate General further submits that the Observer earlier appointed, namely, Smt. Vidyarani, was unable to discharge the said



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responsibility on account of ill-health and, consequently, a new Observer, namely, Sri Hamidulla, has been appointed on 07.08.2026. It is submitted that Sri Hamidulla would remain present during the conduct of the election process and supervise the same until declaration of the results.

12. The said submission is placed on record.

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

Vmb
List No.: 1 Sl No.: 39