



CNR: KAHC010567372026

NC: 2026:KHC:48999-DB
WP No. 25899 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF SEPTEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE S.G.PANDIT

AND

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO. 25899 OF 2026 (S-KSAT)

BETWEEN:

1. SRI.RAMACHANDRA
S/O THIMMEGOWDA
AGED ABOUT 49 YEARS
PRESENTLY WORKING AS AN
ASSISTANT TEACHER
GOVERNMENT LOWER PRIMARY SCHOOL
LAKSHMIPURA(A), KASABA HOBLI
PERIYAPATNA TALUK
MYSORE DISTRICT-570 003.
R/O CHITTENAHALLI VILLAGE
KANDEGALA POST, KASABA HOBLI
PERIYAPATNA TALUK
MYSORE DISTRICT-571 107.

Digitally signed
by AASEEFA
PARVEEN

Location: HIGH
COURT OF
KARNATAKA

...PETITIONER

(BY SRI. B.ROOPESHA, ADVOCATE FOR
SRI. VIJAY KUMAR T., ADVOCATE)

AND:

1. THE PRINCIPAL SECRETARY
SCHOOL EDUCATION AND
LITERACY DEPARTMENT



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M.S.BUILDING
BENGALURU-560 001.

2. DISCIPLINARY OFFICERS AND
DEPUTY DIRECTOR (ADMINISTRATION)
SCHOOL EDUCATION DEPARTMENT
MYSORE DISTRICT, MYSORE-570 007.
3. THE BLOCK EDUCATION OFFICER (BEO)
PERIYAPATNA, MYSORE DISTRICT-571 107.
4. DIRECTOR (PRIMARY EDUCATION)
COMMISSIONER'S OFFICE
SCHOOL EDUCATION DEPARTMENT
NRUPATHUNGA ROAD
BENGALURU-560 001.

...RESPONDENTS

(BY SRI. VIKAS ROJIPURA, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA PRAYING TO ISSUE ANY APPROPRIATE ORDER OF DIRECTION OR A WRIT IN THE NATURE OF CERTIORARI TO SET ASIDE THE ORDER DATED 09/07/2026 PASSED IN APPLICATION NO.1888/2026 BY THE HON'BLE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL AT BENGALURU, VIDE ANNEXURE-C CONSEQUENTLY, SET ASIDE THE IMPUGNED ORDER OF TRANSFER DATED 09/02/2026 BY REVOKING ORDER OF SUSPENSION DATED 20/01/2026, VIDE ORDER BEARING NO.A2(A6)/12236/L.A.P. 101/2022-23 DATED 09/02/2026 PASSED BY THE 2ND RESPONDENT i.e., THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS, MYSURU DISTRICT, MYSURE VIDE ANNEXURE-A13 AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, 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 CHILLAKUR SUMALATHA

ORAL ORDER

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

1. The petitioner is aggrieved by the order dated 09.07.2026 in Application No.1888/2026 passed by the Karnataka State Administrative Tribunal, Bengaluru rejecting the petitioner's prayer of challenge to portion of the order dated 09.02.2026 posting the petitioner to Government Higher Primary School (GHPS), N.Begur at H.D.Kote on revocation of suspension.
2. Heard learned counsel Sri.B.Roopesha appearing for learned counsel Sri.Vijay Kumar T. for the petitioner and learned AGA Sri. Vikas Rojipura appearing for the respondents.
3. Learned counsel for petitioner would submit that, petitioner was kept under suspension by order dated 20.01.2026 alleging certain misconduct. The allegation was that petitioner has taken decision in excess of powers conferred on him and also signing the construction completion certificate though he had no power. It is also alleged that the petitioner



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has misappropriated amount. However, the said order of suspension was subject matter of Application No.1721/2026 before the Tribunal. Learned counsel for the petitioner would submit that in the said application, the order of suspension dated 20.01.2026 was stayed. In pursuance of the interim order passed by the Tribunal, it is stated that the order of suspension was revoked by order dated 09.02.2026 and the petitioner was posted to a different post i.e. to Government Higher Primary School, N.Begur, H.D.Kote Taluk, Mysuru District. Learned counsel for the petitioner would submit that petitioner was suspended while he was working at Government Lower Primary School, Lakshmipura(A), Periyapatna Taluk, Mysuru District. Learned counsel for the petitioner would submit that the respondents could not have posted him to a different post on revocation of suspension. Learned counsel would further submit that petitioner was suspended earlier and the said earlier suspension order was subject matter of Application No.4523/2024 and the Tribunal by order dated 06.01.2025 quashed the said order of suspension with an observation that the impugned order of suspension was passed



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without application of mind and without examining as to whether suspension was necessitated. Further, learned counsel would submit that repeated suspension and the interim order passed by the Tribunal would indicate that petitioner has not committed any misconduct and he would be entitled to continue at Government Lower Primary School, Lakshmipura(A), Periyapatna Taluk. Further, learned counsel would submit that petitioner is not responsible for any of the misconduct or allegation alleged against him. Learned counsel would submit that suspension is revoked in pursuance of the impugned order only to shift petitioner from present place to another place. Thus, he would pray to allow the writ petition.

4. Per contra, learned AGA Sri. Vikas Rojipura appearing for the respondents would submit that the petitioner has committed serious misconduct and during pendency of the enquiry, respondents felt necessary to shift the petitioner to a different place so as to avoid any tampering or influencing the witnesses. Thus, he would pray for dismissal of the writ petition.



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5. Having heard the learned counsel for the parties and on perusal of the entire writ petition papers, we are not inclined to interfere with the impugned order passed by the Tribunal. Admittedly, the petitioner was kept under suspension by order dated 20.01.2026 (Annexure-A11) alleging certain misconduct which also included misappropriation. At the time of suspension, petitioner was working as an Assistant Teacher at Government Lower Primary School, Lakshmipura(A), Periyapatna Taluk, Mysuru District. The said order of suspension was the subject matter of Application No.1721/2026 and the Tribunal by an interim order dated 12.02.2026 stayed the impugned order of suspension. In view of stay of the suspension order, respondent no.2 revoked the order of suspension and posted the petitioner to a different School i.e. Government Higher Primary School, N.Begur, H.D.Kote, Mysuru District. The petitioner is aggrieved by that portion of the order by which he has been posted to a different place on revocation of suspension. Admittedly, the revocation of suspension is pending enquiry. If a Government servant is reinstated pending enquiry, it is for the respondent authorities or the appointing



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authority to give an appropriate posting to such Government servant taking into consideration the nature and seriousness of the charge involved in the departmental proceedings.

6. The transfer or shifting of a Government servant from one place to another place during pendency of the enquiry is to see that such employee would not tamper or influence the witnesses. Therefore, we do not see any error or illegality in the order passed by respondent no.2 posting the petitioner to a different post on revocation of suspension. There is no merit in the writ petition. Accordingly, the writ petition stands rejected.

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

**Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE**