



CNR: KAHC010574532024

NC: 2026:KHC:54569
WP No. 28525 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE T.P.VIVEKANANDA

WRIT PETITION NO.28525 OF 2024 (GM-CC)

BETWEEN:

SRI. VINAY KUMAR A
S/O ASHWATHA NARAYANA
AGED ABOUT 27 YEARS
RESIDING AT NO.1-180, 5TH BLOCK
NEW TOWN, NEAR SRI RAMA TEMPLE
BETHAMANGALA
KOLAR DISTRICT-563 116

...PETITIONER

(BY SRI. KASHINATH J.D, ADVOCATE)

AND:

1. THE ASSISTANT COMMISSIONER
KOLAR SUB DIVISION
GOWRIPETE, KOLAR TALUK
KARNATAKA-563 116

2. THE TAHSILDAR
KOLAR GOLD FIELD TALUK
KOLAR GOLD FIELD
KOLAR DISTRICT-563 113

...RESPONDENTS

(BY SRI. C. JAGADISH, SPECIAL COUNSEL FOR R1 & R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ENDORSEMENTS BEARING NO. RD1219312005761 DATED 05.03.2024 AS PER ANNEXURE-N AND ALSO ENDORSEMENT BEARING NO.RD1219312005819 DATED 22.03.2024 ISSUED BY THE 2ND RESPONDENT TAHSILDAR AS PER ANNEXURE- N1 AND ETC.

Digitally signed
by PAVITHRA B
Location: HIGH
COURT OF
KARNATAKA



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

CORAM: HON'BLE MR. JUSTICE T.P.VIVEKANANDA

ORAL ORDER

The petitioner is before this Court calling in question the endorsement dated 05.03.2024 at Annexure-N and endorsement dated 22.03.2024 at Annexure-N1, by which the request of the petitioner for issuance of caste certificate called 'Mundala' has been rejected.

2. The reason assigned for such rejection in the endorsement at Annexure-N is that the documents relating to caste is altered. Insofar as endorsement at Annexure-N1 is concerned, the reasons assigned are that the applicant has not uploaded the document relating to his income and the information was also not furnished when it was called.

3. The learned counsel appearing for the petitioner reiterating the grounds urged in the writ petition submits



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that the endorsements at Annexures-N and N1 are cryptic, lack of reasons and there being no consideration are liable to be set at naught.

4. In addition, he submits that before issuance of the impugned endorsements, no notice was issued to the petitioner and no documents have been called for and the provisions of Rule 6 of the Karnataka SC/ST and other Backward classes (Reservation of Appointment etc) Rules, 1992 (hereinafter referred to as the 'Rules' for short) is not complied with. Only on these grounds, the endorsements impugned in the writ petition are liable to be set at naught.

5. On the other hand, learned counsel appearing for the respondents submits that the burden of proving that the applicant belongs to a particular caste is on the applicant in terms of Sub-section (5) of Section 4A of the Karnataka SC/ST and other Backward classes (Reservation of Appointment etc.) Act, 1990 (hereinafter referred to as



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the 'Act' for short). It is his submission that, since no documentary proof regarding the caste claimed by the petitioner are furnished, the respondents are justified in issuing the impugned endorsements, accordingly, seeks dismissal of the writ petition.

6. Having heard the learned counsel for the petitioner and learned counsel for the respondents and on perusal of the endorsements including the provisions referred to supra, this Court is of the considered opinion that before issuance of the impugned endorsements, the respondents have not followed the procedure contemplated in Rule 6 and Section 5 of the Rules and Act referred to supra. Other than indicating that there is alteration in the document relating to Caste and non-production of the document relating to income, no other reasons are assigned. There is no indication in the impugned endorsement that any inquiry was conducted as contemplated in the Rules referred to supra. Therefore, the impugned endorsements suffers from



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violation of principles of natural justice and there is serious infraction of statutory provisions.

7. In that view of the matter, this Court deems it expedient to quash the impugned endorsements and remit the matter to respondent No.2 for fresh consideration in accordance with the aforementioned provisions of the Act and Rules.

8. In the result, I proceed to pass the following:

ORDER

- (i) The writ petition is allowed.
- (ii) The Endorsement bearing No.RD1219312005761 dated 05.03.2024 at Annexure-N and the Endorsement bearing No.RD1219312005819 dated 22.03.2024 at Annexure-N1 issued by respondent No.2 are quashed. Sequentially, Annexures-R and R1 are also quashed.
- (iii) Respondent No.2 is directed to hold inquiry as contemplated in Rule 6 of the Karnataka



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SC/ST and other Backward classes (Reservation of Appointment etc) Rules, 1992 and provide reasonable opportunity of hearing to the petitioner to establish his claim with regard to the Caste he claims and thereafter pass appropriate orders in accordance with law.

- (iv) The entire exercise shall be completed by respondent No.2 within a period of three months from the date of receipt of certified copy of this order.

Sd/-
(T.P.VIVEKANANDA)
JUDGE

PB & BGN
List No.: 1 Sl No.: 46