



CNR: KAHC010578392026

NC: 2026:KHC:45317
WP No. 26019 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 26019 OF 2026 (EDN-REG)

BETWEEN:

1. AMZAD PASHA
S/O MOHAMMED BUDIAN,
AGED ABOUT 60 YEARS,
SECRETARY,
SUBHASH EDUCATION SOCIETY,
TIPPU STREET,
SAFDARIABAD MOHALLA,
MANDYA-571 401
(SOCIETY REGISTERED UNDER KARNATAKA
SOCIETIES REGISTRATION ACT, 1960)

... PETITIONER

(BY SRI. SRINIVASA K., ADVOCATE)

AND:

1. THE ADDITIONAL CHIEF SECRETARY
(PRIMARY AND HIGH SCHOOL)
DEPARTMENT OF EDUCATION,
M.S. BUILDING,
BANGALORE-560 001
2. THE DIRECTOR
(PRIMARY EDUCATION)
DEPARTMENT OF PUBLIC INSTRUCTIONS
NRUPATHUNGA ROAD,
K.R.CIRCLE, BANGALORE-560 001
3. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS,
DEPARTMENT OF SCHOOL EDUCATION AND

Digitally
signed by
SHILPABAI S
Location:
HIGH
COURT OF
KARNATAKA



CNR: KAHC010578392026

NC: 2026:KHC:45317
WP No. 26019 of 2026

LITERACY,
MANDYA DISTRICT, MANDYA- 571 401

4. THE BLOCK EDUCATION OFFICER,
SOUTH RANGE,
DEPARTMENT OF EDUCATION,
MANDYA - 571401

... RESPONDENTS

(BY SRI. SKANDA R.K. RAO, AGA FOR
SMT. RASHMI RAO, HCGP FOR R1 TO R4)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO I) SET ASIDE THE ORDER PASSED BY THE 3RD RESPONDENT BEARING ಜಿ3(ಅ2)497.ಶಾ.ಪು.ನೋಂ. ಹಿಂ.68/2021-22/63 ದಿನಾಂಕ: 31.03.2026 BY WHICH THE RESPONDENT NO.3. HAS WITHDRAWN THE REGISTRATION AND THE RECOGNITION OF THE PETITIONER SCHOOL AS PER ANNEXURE-K TO WRIT PETITION AND ETC.

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

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

1. Petitioner filed this writ petition seeking to set aside the order passed by the third respondent dated 31.03.2026 vide Annexure-K.

2. The facts leading to raising of this writ petition are as follows:



CNR: KAHC010578392026

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WP No. 26019 of 2026

Petitioner is running an Education Institution from the year 2008-09 onwards. The petitioner had applied for registration and recognition of the institution from the respondents. When coercive steps were taken during 2017 for closing the institution, petitioner approached the first and second respondent by filing an appeal and Revision Petition.

3. The Revision Petition was allowed by the first respondent vide order dated 27.10.2017 and directions were issued to register and recognise the School and accordingly, Certificate of Registration was issued. Petitioner made representations for renewal of recognition and registration. The third respondent issued show-cause notice dated 25.06.2025 without appreciating the reply submitted by the petitioner dated 29.02.2025 and passed an order dated 31.03.2026 whereby withdrawing the registration and recognition of the School.



CNR: KAHC010578392026

3. Petitioner being aggrieved by the order dated 31.03.2026, preferred an appeal before the second respondent on 19.05.2026. As the Appellate Authority has not passed any order, the petitioner had challenged the impugned order dated 31.03.2026 in this writ petition.

4. Learned Counsel for petitioner submits that before passing the order dated 31.03.2026 withdrawing registration and recognition of the School, no enquiry was held and the said order is in violation of principles of natural justice.

5. It is submitted that the petitioner preferred an appeal before the second respondent and the second respondent has not yet passed an order. Hence, it is prayed that directions be issued to the second respondent to dispose of the appeal within the stipulated time. Hence, on these grounds, he prays to dispose of the writ petition with a direction to the second respondent to dispose of the appeal.



CNR: KAHC010578392026

6. The petitioner has already approached the second respondent which is the Appellate Authority against the order dated 31.03.2026 and the appeal is pending for consideration. The petitioner cannot claim the same relief in the writ petition. The petitioner cannot simultaneously initiate appeal proceedings challenging the same order before the second respondent and by filing writ proceedings before this court.

7. Hence, the writ petition filed by the petitioner challenging the order dated 31.03.2026 is not maintainable as the petitioner has already challenged the said order before the second respondent, which is pending for consideration.

8. Hence, I do not find any ground to interfere with the impugned order and accordingly, I proceed to pass the following:



CNR: KAHC010578392026

NC: 2026:KHC:45317
WP No. 26019 of 2026

ORDER

The writ petition is ***dismissed.***

Respondent no.2 is directed to dispose of the appeal filed by the petitioner within a period of two months from the date of receipt of copy of this order. Respondents are directed not to take coercive steps till passing of the order by the second respondent.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

NP
List No.: 1 Sl No.: 33