



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 29102 OF 2024 (S-RES)

BETWEEN:

1. SMT. T K MEENAKSHI
W/O M ANAND
AGED 68 YEARS
NO 381, 10TH MAIN, ALANAHALLI LAYOUT
MYSORE-570026.
2. SRI. K T CHANDRASHEKARAIAH
S/O THAMMANACHARI
AGED 68 YEARRS
NO.3447, 20/C MAIN ROAD
2ND STAGE, VIJAYANAGARA
MYSORE-570017.
3. SRI L SURESH
S/O LINGAPPA
AGED ABOUT 57 YEARS
R/AT NO A2-08, ALISH LAYOUT
2ND STAGE, BOGADI
MYSORE-570026.

Digitally signed by
MALATHI CHALUVA
IYENGAR
Location: HIGH
COURT OF
KARNATAKA

...PETITIONERS

(BY SRI. SHARATH S GOWDA., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP. BY ITS PRL. SECRETARY
URBAN DEVELOPMENT DEPARTMENT
M S BUILDING, BANGALORE-560001.



2. DEPUTY COMMISSIONER
MYSORE DISTRICT
MYSORE-570001.
3. COMMISSIONER
MYSORE CITY CORPORATION
MYSORE-570024

...RESPONDENTS

(BY SRI. G RAMESH NAIK, AGA FOR R1 & R2:
SMT. GEETHADEVI M P, ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI OR ANY OTHER WRIT QUASHING/SETTING ASIDE THE ENDORSEMENT AT ANNEXURE-V BEARING NO.NA AE61ACM2023(E), ISSUED BY THE R-1 DATED: 06.09.2024 AND ETC.

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

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

This writ petition is filed under Articles 226 and 227 of the Constitution of India, challenging the endorsement dated 06.09.2024 issued by the first respondent vide Annexure-V, whereby the request of the petitioners for regularization has been rejected mainly on the ground that the petitioners were appointed after 01.01.1986.



2. The case of the petitioners is that they joined the service of respondent No.3–Corporation as Graduate Literate Assistants/First Division Assistants on 01.11.1987, 01.08.1987 and 10.10.1988, respectively. They have continued to work without any break or interim order of the Court. Since they have completed more than ten years of service, they sought regularization of their appointments and accordingly submitted representations.

3. The specific contention of the learned counsel for the petitioners is that the services of similarly situated persons, who were appointed after 01.01.1986, have been regularized pursuant to the order passed by this Court in W.P.No.50876/2019 & connected matter dated 21.10.2020, produced as Annexure-E. Further, the cases of certain retired employees who were appointed after 01.01.1986 have also been regularized by order dated 22.05.2023, produced as Annexure-S1, pursuant to the orders passed by this Court in W.P.No.3672/2021 and



connected matters disposed of on 05.04.2023, produced as Annexure-S.

4. The petitioners are similarly situated persons; however, their cases have been rejected by the impugned endorsement solely on the ground that they were appointed after 01.01.1986. In fact, similarly situated persons working in the same Corporation have been regularized by orders dated 06.06.2022, 07.07.2022, 17.09.2022, and 21.09.2022, produced as Annexures-K, K1, L1, and L2, respectively. Hence, the learned counsel sought for allowing the writ petition.

5. Similarly situated persons had filed W.P. No.14122/2020. A learned Single Judge of this Court disposed of the said matter on 12.04.2023, holding that the petitioners therein were also entitled to regularization in the light of the order dated 05.04.2023 passed in W.P. No.3672/2021 and connected matters. Since the said order was not implemented, the petitioners therein filed



CCC No.820/2024, wherein a Division Bench of this Court during the pendency of the matter, on 12.11.2024 passed the following order:

"5. The Under Secretary to the Government, who has affirmed the affidavit has shown audacity to call in question the legal efficacy of the directions passed by this Court on various grounds. Though in contempt proceedings, such aspects are not relevant, what becomes relevant is the stand evinced by the said Under Secretary, who is the author of the endorsement/ order dated 06.09.2024.

5.1 The said endorsement dated 06.09.2024, in its last paragraph reads as under,

"In view of the direction of the Hon'ble High Court in W.P.No.3672/2021, dated 05.04.2023 and also as per the above Government Orders and Circulars your request has been examined. Since, you have appointed as daily wages employee after 01.01.1986, there is no provision in the rules to regularize your service."

5.2 Thus, it is clear that the petitioner has been denied the implementation of the order and the extension of benefits thereunder, on the ground that he was appointed after 01.01.1986, however,



the other employees, who are mentioned in the memorandum dated 26.05.2023 and who are extended the benefit, are appointed after 01.01.1986.

5.3 Therefore, prima facie, the stand of the deponent even on merits is not acceptable and amounts to discrimination and a clear contempt of Court. The authority is not supposed to evaluate and assess the merits of the directions of the Court but has to implement as they stand.

5.4 According to this Court, the said order/endorsement insofar as it opines to deny the benefit to the petitioner on the grounds stated is an affront to the Court's directions is contumacious and partakes contempt of Court."

6. Even the State filed a writ appeal against the order passed in W.P.No.14122/2020, disposed of on 12.04.2023, in W.A. No.1783/2024. A Division Bench of this Court, by judgment dated 10.11.2025, dismissed the writ appeal, thereby confirming the order passed by the learned Single Judge on the ground that, on the principle of parity, the benefit could not be denied to similarly



situated persons. The relevant paragraphs are extracted below:

"4. We notice that in the said judgments, the learned Single Judge, relying on the judgment dated 05.04.2023 passed in W.P.No.3672/2021 and connected cases, had allowed the writ petitions directing that the petitioners are entitled to the benefit as granted to the petitioners in W.P.No.3672/2021 and connected cases. The learned counsel appearing for the complainants in the contempt of Court cases submits that the judgment in W.P.No.3672/2021 and connected cases has been complied by order dated 22.05.2023 of the Mysore Mahanagara Palike, Mysore, by regularising all the petitioners in the batch of writ petitions and granting them all the monetary benefits of such regularisation. It is submitted that the said order was not challenged and had been fully implemented by the Mysore Mahanagara Palike, Mysore. Thereafter, relying on the very same judgment, the learned Single Judge had disposed of the captioned writ petitions as well. However, the said directions were not complied with. The three contempt of Court cases came to be filed alleging non-compliance of the directions of the learned Single Judge. The co-ordinate Bench of



this Court, by its order dated 12.11.2024 recorded these facts and deprecated the conduct of the State Government and the endorsement issued by it. It was found that in view of the fact that the judgment which was relied on by the learned Single Judge had not been challenged and had been fully implemented, there was absolutely no justification for the Government to have taken the stand that the complainants were not entitled to the benefit of regularisation and identical reliefs as has been granted to the petitioners in W.P.No.3672/2021 and connected cases. The order also reads as under:

"5.4 According to this Court, the said order/endorsement insofar as it opines to deny the benefit to the said Smt.Umadevi on the grounds stated is an affront to the Court's directions is contumacious and partakes contempt of Court.

5.5 However, an opportunity is given to the said authority to cure the contemptuous conduct on his part. Before any further action is taken, it would be open for the said authority to take remedial action and pass fresh order before the next date of posting of the present proceedings."

5. Further, the benefits which were liable to be paid to the complainants were also directed to be calculated and deposited before this Court, which, according to the learned Additional Government Advocate has already been done."



7. Also, the Apex Court, in the case of **MALATHI DAS (RETIRED), NOW P.B. MAHISHY AND OTHERS V. SURESH AND OTHERS** reported in **(2014) 13 SCC 249**, has held that the claim of employees has to be decided on the principle of parity. The relevant paragraph is extracted below:

"13. In the aforesaid undisputed facts it is wholly unnecessary for us to consider as to whether the cases of persons who were awaiting regularisation on the date of the decision in State of Karnataka v. Umadevi (3), [(2006) 4 SCC 1] is required to be dealt with in accordance with the conditions stipulated in para 53 of Umadevi (3) inasmuch as the claims of the respondent employees can well be decided on principles of parity. Similarly placed employees having been regularised by the State and in case of some of them such regularisation being after the decision in Umadevi (3) we are of the view that the stand taken by the appellants in refusing regularisation to the respondents cannot be countenanced. However, as the said stand of the appellants stems from their perception and understanding of the decision in Umadevi (3) we do not hold them liable for



contempt but make it clear that the appellants and all the other competent authorities of the State will now be obliged and duty-bound to regularise the services of the respondents (74 in number) which will now be done forthwith and in any case within a period of two months from the date of receipt of this order."

8. In view of the above, the impugned endorsement issued by the State vide Annexure-V dated 06.09.2024, stating that the petitioners were appointed after 01.01.1986 and, therefore, that their cases could not be considered for regularization, is unsustainable and the same is liable to be quashed.

9. Accordingly, the following order:

(i) The writ petition is allowed.

(ii) The impugned endorsement dated 06.09.2024 issued by the first respondent vide Annexure-V is quashed.

(iii) The respondents are directed to consider the cases of the petitioners keeping in view the orders passed



by this Court in W.P. Nos.50876/2019 and connected matters disposed of on 21.10.2020 (Annexure-E) and in W.P. No.3672/2021 and connected matters disposed of on 05.04.2023 (Annexure-S), the orders passed in respect of similarly situated persons, and also the judgment of the Apex Court in **MALATHI DAS (supra)**, as expeditiously as possible and in any event not later than three months from the date of receipt of a certified copy of this order.

In view of disposal of the petition, all pending applications stand disposed of.

Sd/-
(H.T. NARENDRA PRASAD)
JUDGE

CM
LIST NO.: 1 SL NO.: 45