



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO. 31100 OF 2025 (EDN-REG)

BETWEEN:

1. VIVEKANANDA VIDYA SAMSTHE (REGD.)
REP. BY ITS JOINT SECRETARY
SRI. S. SHIVAPRASAD,
S/O, LATE SHIVANNA,
AGED ABOUT 63 YEARS,
R/AT. 1 CROSS, SADASHIVANAGARA,
TUMAKURU - 572 101.
(REGISTERED UNDER KARNATAKA SOCIETIES ACT,
1960).
2. SRI. NANJUNDAPPA S.
S/O. LATE SADASHIVAIAH,
AGED ABOUT 50 YEARS,
R/AT. OORIKERE,
TUMAKURU - 572 106.
3. SMT. MANJULA,
W/O. M.S. LOKESH,
AGED ABOUT 51 YEARS,
R/AT. VINOBANAGARA,
TUMAKURU - 572 101.

...PETITIONERS

(BY SRI. SIDDARAMAIAH V.B., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF PRIMARY AND SECONDARY

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by CHAYA S A
Location: HIGH
COURT OF
KARNATAKA



EDUCATION,
VIDHANA SOUDHA,
BANGALORE - 560 001.

2. THE COMMISSIONER OF PUBLIC INSTRUCTION,
DEPARTMENT OF EDUCATION,
(PRIMARY & SECONDARY SCHOOL EDUCATION),
GOVERNMENT OF KARNATAKA,
NRUPATUNGA ROAD, K.R. CIRCLE,
BENGALURU - 560 001.
3. THE DIRECTOR OF PUBLIC INSTRUCTION
(HIGH SCHOOL),
DEPARTMENT OF SCHOOL EDUCATION,
GOVERNMENT OF KARNATAKA,
BENGALURU NORTH DISTRICT,
K.G. ROAD,
BENGALURU - 560 002.
4. THE DEPUTY DIRECTOR OF PUBLIC
INSTRUCTION(DDPI),
DEPARTMENT OF SCHOOL EDUCATION,
DR. S. RADHA KRISHNAN ROAD,
SOMESHWARAM PURAM,
TUMAKURU - 572 102.
5. THE BLOCK EDUCATION OFFICER (BEO),
DEPARTMENT OF SCHOOL EDUCATION,
DR. S. RADHA KRISHNAN ROAD - 572 102,
SOMESHWARAM PURAM, TUMAKURU.

...RESPONDENTS

(BY SMT. SUKANYA BALIGA B., AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
INTIMATION LETTER BEARING NO.ಅ.ಶಾ.ವಿ.ಕ್ರಮ:30/2024-
25/1739 DATED 20.08.2025, ISSUED FOR TRANSFER OF THE



STUDENTS FROM VIVEKANANDA ENGLISH HIGHER PRIMARY SCHOOL, TUMAKURU TO OTHER SCHOOLS AND TO WITHDRAW THE RECOGNITION, ISSUED BY THE RESPONDENT NO.4, THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTION (DDPI), DEPARTMENT OF SCHOOL EDUCATION, DR. S. RADHA KRISHNAN ROAD, SOMESHWARAM PURAM, TUMAKURU, VIDE ANNEXURE-H 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 E.S.INDIRESH

ORAL ORDER

In this Writ Petition, the petitioners are assailing the letter dated 20.08.2025 (Annexure-H) issued by the respondent No.4 to de-recognize the petitioner No.1 - Institution school for the academic year 2024-25.

2. The relevant facts for adjudication of this petition are that the petitioner No.1 - Institution is being run by the Vivekananda Vidya Samsthe, registered on 12.07.1977 (Annexure-A). It is also stated that the Government by order dated 03.10.1981 permitted the



petitioner No.1 - Institution to run English Medium Primary School. It is further stated that, the petitioner No.1 - Institution has submitted the representation for renewal of the recognition for the academic year 2023-24 and in terms of the same by letter dated 25.10.2023 (Annexure-E), the Government has accorded permission for renewal of the recognition. However, by notice dated 20.08.2025 (Annexure-H), respondent No.4 has de-recognized the school and being aggrieved by the same, the petitioners' school has preferred this petition.

3. Heard Sri Siddaramaiah V.B., learned counsel appearing for the petitioners and Smt. Sukanya Baliga B., learned Additional Government Advocate appearing for the respondents.

4. Sri Siddaramaiah V.B., learned counsel appearing for the petitioners submitted that the petitioner No.1 - Institution is being run from the academic year 1981-82 and he further invited the attention of the Court



to Annexure-E wherein the recognition was accorded for the academic year 2023-24. The learned counsel has also submitted that the impugned letter dated 20.08.2025 (Annexure-H) has been issued by the respondent No.4 without issuing prior notice to the petitioners' school and also submitted that pursuant to the issuance of Annexure-H, the petitioner No.1 - Institution has replied to the same as per Annexure-J dated 06.10.2025 and same has not been considered by the respondent No.4 and therefore, sought for interference of this Court.

5. Per contra, Smt. Sukanya Baliga B., learned Additional Government Advocate appearing for the respondents invited the attention of the Court to Rule 4(3)(e) of the Karnataka Educational Institutions (Recognition of Primary and Secondary Schools) Rules, 1999 and submitted that, in view of the failure on the part of the petitioner No.1 - Institution to conform to the aforementioned provision, the impugned order at



Annexure-H is justified, and therefore, sought for dismissal of the petition.

6. In the light of the submissions made by the learned counsel appearing for the parties, it is not in dispute that the petitioner No.1 - Institution is being run since the year 1981-82. Further, a perusal of the petition would indicate that the Respondent No.4 has accorded permission/recognition for the academic year 2023-24 (Annexure-E).

7. In that view of the matter, taking into consideration that the respondent No.4 without issuing notice to the petitioner No.1 - Institution, issued the impugned letter dated 20.08.2025 (Annexure-H) by taking penal action against the petitioner No.1 - Institution by de-recognising the school, which is violation of the principles of natural justice. Accordingly, I find force in the submission made by the learned counsel appearing for the petitioners.



8. However, taking into consideration the fact that the petitioner No.1 - Institution has replied by letter dated 06.10.2025 (Annexure-J) to the respondent No.4, I am of the view that the respondent No.4 shall consider the reply dated 06.10.2025 (Annexure-J) made by the petitioner No.1 - Institution.

9. It is also made clear that while considering the aforementioned reply dated 06.10.2025, the respondent No.4 shall take into consideration the relevant rules provided under the Karnataka Educational Institutions (Recognition of Primary and Secondary Schools) Rules, 1999 which stipulates for the registration/recognition of the institution as well as the declaration of law made by this Court and the declaration of law made by the Hon'ble Supreme Court in the case of **AVINASH MEHROTRA vs. UNION OF INDIA AND OTHERS** reported in **(2009) 6 SCC 398** and also the subsequent circulars if any issued by the respondent-Authorities.



10. In that view of the matter, I pass the following;

ORDER

- i) The Writ Petition is ***allowed***.
- ii) The impugned letter dated 20.08.2025 (Annexure-H) issued by the respondent No.4 is hereby set aside.
- iii) Respondent No.4 is directed to consider the reply dated 06.10.2025 (Annexure-J) by the petitioner No.1 - Institution in accordance with the Act and the Rules made therein as well as the judgment referred to above.

Till the consideration of the reply at Annexure-J, no precipitative action shall be taken against the petitioner No.1 - Institution.

**SD/-
(E.S.INDIRESH)
JUDGE**