



CNR: KAHC010687342023

NC: 2026:KHC:36343-DB
WP No. 5 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF JULY, 2026

PRESENT

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

AND

THE HON'BLE DR. JUSTICE K.MANMADHA RAO

WRIT PETITION NO. 5 OF 2024 (S-KSAT)

BETWEEN:

SRI ATMANANDA MALLAPPA GHATNUR
S/O MALLAPPA GHATNUR
AGED ABOUT 39 YEARS,
R/O PLOT NO.1, SECTOR 27,
NAVANAGAR, BAGALKOT-587103.

...PETITIONER

(BY SRI. P P HEGDE, SR. COUNSEL A/W
SRI KEERTHI PRASAD D.C., ADV.)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF PERSONAL AND
ADMINISTRATIVE REFORMS (DPAR)
VIDHANA SOUDHA, AMBEDKAR VEEDHI
BENGALURU-560001.
2. THE ADDITIONAL CHIEF SECRETARY
FINANCE DEPARTMENT,
VIDHANA SOUDHA, AMBEDKAR VEEDHI
BANGALORE-560001.
3. THE SECRETARY
KARNATAKA PUBLIC SERVICE COMMISSION
UDYOG SOUDHA, PARK HOUSE,
BANGALORE-560001.
4. THE COMMISSIONER OF COMMERCIAL TAXES
VANIJYA THERIGE KARYALAYA-1
KALIDASA ROAD, GANDHINAGAR
BANGALORE-560009.

Digitally signed by
NANJUNDACHARI
Location: High
Court of
Karnataka



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5. BLOCK EDUCATION OFFICER
RAMDURGA
BELGAUM DISTRICT-591123.

...RESPONDENTS

(BY SRI. V SHIVAREDDY, AGA)

THIS PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER WRIT OR ORDER SETTING ASIDE THE IMPUGNED ORDER DATED 16.11.2023 PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL, BENGALURU IN A. NO. 834/2023 AND CONSEQUENTLY ALLOW THE SAID APPLICATION (ANNEXURE-A AND ISSUE A WRIT OF CERTIORARI OR ANY OTHER WRIT OR ORDER SETTING ASIDE THE REPORT BEARING P6/KAT/APPL NO.10691/2021/2022-23/76 DATED 07.10.2022 ISSUED BY THE RESPONDENT NO. 5-BLOCK EDUCATION OFFICER, RAMDURGA (ANNEXURE-A10 OF ANNEXURE-B) 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 S.G.PANDIT
AND
HON'BLE DR. JUSTICE K.MANMADHA RAO

ORAL ORDER

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

Unsuccessful applicant before the Karnataka State Administrative Tribunal at Bengaluru (for short, 'the Tribunal') is before this Court in this writ petition aggrieved by order dated 16.11.2023 in Application No.834/2023, wherein the petitioner's prayer to quash Annexure-A11, letter dated 09.11.2022 rejecting the



CNR: KAHC010687342023

petitioner's candidature for appointment as Commercial Tax Officer under 2A Rural Category, since the validity certificate is not issued on the Rural Certificate produced by the petitioner, is rejected.

2. Brief facts of the case are that, the petitioner in pursuance to recruitment to Gazetted Probationers Notification dated 12.05.2017 applied for the post of Commercial Tax Officer claiming reservation under 2A Rural Category. The petitioner was selected for the post of Commercial Tax Officer under 2A Rural Category and accordingly, the select list was forwarded to the fourth respondent for issuance of appointment order. Before issuance of appointment order, the appointing authority forwarded the Rural Certificate produced by the petitioner for its validity to the concerned Block Education Officer i.e., fifth respondent herein for verification and issuance of validity certificate. The fifth respondent by its letter dated 23.03.2020 stated that school in which the petitioner



**NC: 2026:KHC:36343-DB
WP No. 5 of 2024**

studied i.e., Pragathi Vidyalaya School, Ramadurga is situated in Ramadurga Town and declined to issue validity certificate. Under impugned letter dated 09.11.2022 (Annexure-A11), the third respondent informed the petitioner that his case for appointment as Commercial Tax Officer cannot be considered under Rural Category, as no validity certificate is issued in respect of Rural Certificate produced by him. The said communication was the subject matter of Application before the Tribunal and the Tribunal under impugned order dated 16.11.2023 rejected the petitioner's prayer to quash the said communication. Questioning the order of the Tribunal as well as impugned communication refusing to consider his case for appointment as Commercial Tax Officer under 2A Rural Category, the petitioner is before this Court in this writ petition.

3. Heard learned senior counsel Sri.P.P.Hegde for Sri.Keerthi Prasad.D.C., learned counsel for petitioner and



learned Additional Government Advocate Sri.V.Shivareddy for respondents. Perused the entire writ petition papers.

4. Learned senior counsel Sri.P.P.Hegde would submit that the impugned communication dated 09.11.2022 informing the petitioner that his case cannot be considered under Rural Category as fifth respondent refused to issue validity certificate as well as Tribunal's order rejecting his prayer is opposed to the material on record and that the authorities as well as the Tribunal failed to appreciate the fact that the school in which the petitioner studied was situated in Thuranur Grama Panchayath and not within the Ramadurga Town Municipality when the petitioner studied in the said school. Learned senior counsel invites attention of this Court to Annexure-A4 as well as Annexure-A5 – Rural Certificates issued by the Head Master of the Pragathi Vidyalaya Nuthana Madari Hiriya Prathamika Shale, Ramadurga and submits that the petitioner studied in the said school from



1989-99 and at that point of time, the school was functioning at Thurapur Grama Panchayath limits, which is a rural area in terms of the definition of rural candidate.

5. Further, learned senior counsel referring to various correspondence would submit that school in which the petitioner studied was in rural area during the period of petitioner's study. Further, learned senior counsel would submit that the respondents cannot take note of the present day's situation and the respondents are required to examine as to whether the school in which the petitioner studied was in a rural area when the petitioner studied in that school. Learned senior counsel would also refer to the Revenue Inspector's report to submit that petitioner has specifically stated that earlier school in which the petitioner studied was in Thurapur Grama Panchayath area. Thus, learned senior counsel would pray for allowing the writ petition and to direct the respondents



to consider the case of the petitioner for appointment as Commercial Tax Officer under Rural Category.

6. *Per contra*, learned Additional Government Advocate Sri.V.Shivareddy would support the order passed by the Tribunal and would further submit that the respondents examined as to whether the school in which the petitioner studied was in rural area during the period in which the petitioner studied in that school. He submits that the school in which the petitioner studied i.e., Pragathi Primary School, Ramadurga was in Ramadurga Town itself, as could be seen from the rural certificate issued under Annexures-A4 and A5 and further he would submit that the Tahasildar's letter dated 09.02.2026 which is filed along with memo of the State Government filed on 06.06.2026 would clearly indicate that the school in which the petitioner studied was in Ramadurga Municipality area from 1993 itself. Thus, he would submit that the petitioner has failed to establish that the school in



CNR: KAHC010687342023

**NC: 2026:KHC:36343-DB
WP No. 5 of 2024**

which he studied was in a rural area during his study. Hence, he prays for dismissal of the writ petition.

7. Having heard the learned counsel appearing for the parties and on perusal of the entire materials on record, we are not inclined to interfere with the order passed by the Tribunal as the petitioner has failed to demonstrate that the school in which the petitioner studied i.e., Pragathi Primary School, Ramadurga was in rural area during the period in which he studied, i.e., 1989-1999.

8. The Tribunal on consideration of the entire material on record, at paragraph 7, has held as follows:

"7. A judicial review proceeding as this one, is not akin to an Appeal proceeding where evidence can be adduced or re-examined. In judicial review proceedings, the Courts are concerned with the decision-making process and not the decision itself. In this case, the State based on the orders of this Tribunal has gone into the matter and have come to the conclusion that



CNR: KAHC010687342023

the school is situated in the urban area Navipet, Ramadurga municipal area and not in Turanur GP jurisdiction rural area. It is specifically stated by the respondent State that though the Institution that has established the Pragati Vidyalaya School is having its administrative office in the Turanur GP Rural area, the permission for the school has been given for Navipet, Ramadurga Town. This contention that the sanction for the establishment of the school and renewal of school recognition, is in the urban area at Navipet, Ramdurga is unchallenged by any contrary pleading or document at the time of hearing. In the circumstances, there are no grounds to contest the factual contention of the respondent State that the Pragati Vidyalaya School is located at Navipet, Ramadurga Town."

The above finding is in tune with material on record.

9. It is not in dispute that the petitioner studied 1st standard to 10th standard in Pragathi Prathamika Shale, Ramadurga, Pragathi High School, Ramadurga. A perusal of the Rural Candidate Certificates at Annexures-A4 and A5 dated 09.05.2001 indicates that the school is situated



at Ramadurga Taluk, Ramadurga Town of Belagavi District. In earlier round of litigation in Application No.10619/2021 dated 18.08.2022, the Tribunal on setting aside the endorsement directed the fifth respondent to consider all documents and examine the material. Accordingly, the Block Education Officer in his communication to the petitioner stated that on obtaining the petitioner's application and Transfer Certificate for having studied in Pragathi school, Navipet, Ramadurga has come to the conclusion that the petitioner had not studied at Pragathi School, Thuranur Village, but he has studied from 1st Standard to 10th Standard at Pragathi Vidyalaya, Nuthana Madari Hiriya Prathamika Shale, Ramadurga. The letter dated 09.02.2026 of the Tahasildar, Ramadurga which is placed on record by the respondents-State along with memo dated 06.06.2026 indicates that the school in which the petitioner studied is situated at Navipet, Ramadurga and the school is functioning in the said place since 1993.



**NC: 2026:KHC:36343-DB
WP No. 5 of 2024**

10. From examination of entire material on record, we are of the opinion that the petitioner studied from 1st Standard to 10th Standard in Pragathi Vidyalaya, Noothana Madari Hiriya Prathamika Shale, Ramadurga, Navipet and not in Pragathi Prathamika Shale, Thuranur, Ramadurga. The school in which the petitioner studied is in Navipet, Ramadurga Town itself from the beginning. Therefore, the petitioner cannot claim rural reservation.

11. Thus, we do not find any error or illegality in the order passed by the Tribunal. Writ petition is devoid of merit and accordingly stands rejected.

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

**Sd/-
(DR.K.MANMADHA RAO)
JUDGE**

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List No.: 1 Sl No.: 23