

RESERVED ON 21ST JULY 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30th DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT APPEAL NO.1785 OF 2025 (CS-RES)

BETWEEN:

1. VENKATAREDDY
S/O N.C. NARAYANAPPA
AGE- 62 YEARS,
PRESIDENT
2. RAJANNA
S/O MUNISWAMAPPA
AGE- 60 YEARS,
3. RAMANJAPPA .N
S/O NARAYANAPPA
AGE- 68 YEARS
4. T.T. ERAPPA
S/O THIPANNA,
AGE- 63 YEARS,
5. SRINIVASAPPA
S/O MOTHAPPA
AGE- 55 YEARS,
6. RATNAMMA
W/O SUBBAREDDY,
AGE- 50 YEARS,

(PETITIONER NO.1/APPELLANT NO.1 IS
THE PRESIDENT AND PETITIONER/
APPELLANT NO.2 TO 6 ARE THE

DIRECTORS OF
KYALANOORU RESHME BELEGARARA
HAGU RAITHARA SEVA SAHAKARA
SANGHA NIYAMITHA,
KYALANOORU VILLAGE,
KOLAR TALUK, KOLAR DISTRICT.

...APPELLANTS

(BY SRI. DEVIPRASAD SHETTY, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF CO-OPERATION
M.S BUILDING,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU -560001.
REPRESENTED BY ITS
PRINCIPAL SECRETARY.
2. THE ASSISTANT REGISTRAR OF
COOPERATIVE SOCIETIES
KOLAR - 563101
KOLAR DISTRICT.
3. KOLAR -CHIKKALABALAPURA DISTRICT
CENTRAL COOPERATIVE BANK LTD.,
PRABHA TALKIES ROAD,
KOLAR-563101
REPRESENTED BY ITS
MANAGING DIRECTOR.
4. KYALANOORU RESHME BELEGARARA
HAGU RAITHARA SEVA SAHAKARA
SANGHA NIYAMITHA
KYALANOORU VILLAGE
KOLAR TALUK, KOLAR DISTRICT
(REPRESENTED BY ITS SECRETARY
REGISTERED UNDER THE KARNATAKA
COOPERATIVE SOCIETIES ACT, 1959)
5. MADHUSUDHAN
S/O NOT KNOWN TO THE PETITIONER
AGE- ABOUT 30 YEARS
BANK SUPERVISOR, KOLAR BRANCH,

KOLAR TALUK
KOLAR -CHIKKALABALAPURA DISTRICT
CENTRAL COOPERATIVE BANK LTD.
PRABHA TALKIES ROAD,
KOLAR-563101.

6. C.V. PRAKASH
S/O NOT KNOWN TO THE PETITIONER
AGE- MAJOR
DIRECTOR
KYALANOORU RESHME BELEGARARA
HAGU RATHARA SEVA SAHAKARA
SANGHA NIYAMITHA
KYALANOORU VILLAGE,
KOLAR TALUK,
KOLAR DISTRICT.

...RESPONDENTS

(BY SRI. HARISH K.S., GOVERNMENT ADVOCATE FOR R-1 & R-2;
SRI. R. SRINIVAS GOWDA, ADVOCATE FOR R-3;
SRI. GIRISH T.R., ADVOCATE FOR R-6;
R-4 & R-5 - SERVED;
PROPOSED R-7, R-8 & R-9 ARE SERVED AND UNREPRESENTED
VIDE I.A.NO.5/2025)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO ALLOW THE TOP
NOTED APPEAL BY SETTING ASIDE THE ORDER 28.10.2025
PASSED IN W.P.NO.9978/2025 AND THE WRIT PETITION
W.P.NO.9978/2025 MAY KINDLY BE ALLOWED IN THE INTEREST OF
JUSTICE AND EQUITY.

THIS WRIT APPEAL HAVING BEEN HEARD AND RESERVED
FOR JUDGMENT, COMING ON FOR PRONOUNCEMENT THIS DAY,
JUDGMENT WAS PRONOUNCED AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU ,CHIEF JUSTICE
and
HON'BLE MRS. JUSTICE K.S. HEMALEKHA

C.A.V. JUDGMENT

(PER: HON'BLE MRS. JUSTICE K.S. HEMALEKHA)

1. This intra-Court appeal is directed against the order dated 28.10.2025 passed by the learned Single Judge in W.P.No.9978/2025 [CS-RES]. By the impugned order, the learned Single Judge has not interfered with the proceedings dated 26.03.2025, whereby respondent No.6 came to be elected as the representative/delegate of respondent No.4-Kyalanooru Reshme Belegarar Hagu Raithara Seva Sahakara Sangha Niyamitha [hereinafter, '**Society**'] to contest and vote in the election of respondent No.3-Kolar-Chikkaballapura District Central Co-operative Bank Ltd. [hereinafter, '**DCC Bank**'] and has consequently, dismissed the writ petition.

BRIEF FACTS

2. Appellant No.1 is the President and appellant Nos.2 to 6 are the Directors of the Society, who are the petitioners in W.P.No.9978/2025 [CS-RES]. By notification in Form-XI dated 13.03.2025 issued under Rule 14(1) of the Karnataka Co-operative Societies Rules, 1960 [hereinafter, '**Rules**'], the Deputy Commissioner and District Election Officer notified the election to the Board of Directors of the DCC Bank to be held on 28.05.2025.

The calendar of events required the draft voters' list to be submitted by the Managing Director of the DCC Bank by 28.03.2025. In that background, the DCC Bank called upon its affiliated societies to nominate their respective representatives/delegates and to submit the prescribed delegate forms to its Chief Executive on or before 5.00 p.m. on 26.03.2025. Accordingly, the Chief Executive of the Society convened a meeting for 24.03.2025 to elect the Society's delegate. However, the meeting could not be held. Appellant No.1, as President, addressed a communication dated 24.03.2025 to the Chief Executive calling upon him to postpone the meeting on the ground that the notice dated 20.03.2025 had not been served on all the Directors; there was also a disruption (*galata*) amongst the Directors, and the meeting came to be postponed by a notice affixed on the notice board of the Society.

3. Thereafter, the Chief Executive, reportedly fell ill and was hospitalised, and the same was intimated to respondent No.2- Assistant Registrar of Co-operative Societies, Kolar [hereinafter, '**Registrar**']. On the request/complaint of the other Directors dated 24.03.2025, and on the basis of the spot inspection report of even date submitted by the Inspector of Co-operative Societies, Kolar

Taluk, the Registrar, by communication dated 25.03.2025, appointed respondent No.5- a Supervisor of the DCC Bank [hereinafter, '**Supervisor**'], as the temporary/in-charge Chief Executive of the Society, for the limited purpose of convening the meeting. Respondent No.5, in turn, issued notice dated 25.03.2025 convening the meeting of the Board on 26.03.2025 at 11.00 a.m., and by a separate letter of the same date requested appellant No.1 to preside over the said meeting. The meeting was accordingly held on 26.03.2025, wherein respondent No.6 was elected as the delegate to represent the Society in the election to the DCC Bank. Aggrieved by the convening of the meeting and the election of respondent No.6 as the delegate, the appellants instituted W.P. No.9978/2025.

SUBMISSIONS

4. The learned counsel appearing for the appellants advanced two principal contentions. Firstly, it is submitted that the meeting was convened in violation of Rule 14AK (2) of the Rules, which mandates seven clear days' notice, or three clear days' notice (in cases of exigency), whereas the impugned meeting was convened overnight by issuing notice on the night of 25.03.2025 for a meeting on the following day i.e., 26.03.2025. Secondly, it is contended that

the Registrar had no authority under Section 29G of the Karnataka Co-operative Societies Act, 1959 [hereinafter, '**Act**'] to appoint a Supervisor or authorise him to convene a meeting of the Board.

5. According to the appellants, Section 29G does not confer such power, and there existed no genuine urgency warranting a departure from the mandatory statutory procedure. It is, therefore, urged that the proceedings of the meeting dated 26.03.2025, the election of respondent No.6 as the delegate, and the order of the learned Single Judge upholding the same are liable to be set aside.

6. The learned counsel appearing for the State and the DCC Bank contended that the President and the Chief Executive deliberately adopted delaying tactics in order to frustrate the Society's participation in the election of the DCC Bank. It is submitted that since 26.03.2025 was the last date prescribed for nominating the Society's representative, immediate action became imperative to ensure compliance with the election schedule. It is further contended that the Registrar possesses incidental and ancillary powers under Section 29G to issue appropriate directions and appoint a Supervisor to facilitate the discharge of statutory obligations, where the office bearers of the Society fail or refuse to act. Accordingly, it is submitted that the meeting held on

26.03.2025 and the election of respondent No.6 as the delegate were valid, lawful and rightly upheld by the learned Single Judge.

IMPUGNED ORDER

7. The learned Single Judge observed that 26.03.2025 was the last date prescribed for nominating the Society's delegate for the DCC Bank election and that the authorities were justified in taking appropriate steps to ensure that the Society did not lose its right of representation. The learned Single Judge observed that the appointment of the Supervisor by the Registrar was a measure adopted to facilitate compliance with the statutory election process, and that the Supervisor merely convened the meeting without interfering with the democratic decision-making of the Board. It was observed that respondent No.6 was elected as the delegate by the requisite quorum of Directors. The learned Single Judge rejected the appellants' challenge founded on the alleged violation of Rule 14AK (2) of the Rules, holding that in the peculiar facts of the case, particularly the imminent expiry of the deadline for nomination of the representative, immediate action was warranted. The learned Single Judge further noticed an unexplained inconsistency between the communication dated 24.03.2025 addressed by the Chief Executive to respondent No.2 and the medical records produced

before the Court, and held that the conduct of appellant No.1 and of the Chief Executive in postponing the meeting scheduled on 24.03.2025 and in objecting to the meeting convened on 26.03.2025 disclosed an absence of *bona fides*. It was further held that the authorities had acted *bona fide* to ensure compliance with the election schedule and that no prejudice had been caused to the appellants. Consequently, the learned Single Judge dismissed the writ petition and directed that the vote cast by respondent No.6 be counted and election results be declared in accordance with law.

REASONS AND CONCLUSION

8. The principal grievance of the appellants is founded on the alleged violation of Rule 14AK (2) of the Rules, which reads as under:

"14.AK. Board Meetings.-(1) x x x

(2) The chief executive shall convene a meeting of the board, in consultation with the chairperson or president of the co-operative society, by giving a notice of at least seven clear days as specified in the bye-laws. In exigencies, a meeting of a board may be convened by giving a notice of at least of three clear days. The notice may be sent in the following modes, namely.-

- (a) by speed post; or
- (b) by courier; or
- (c) by local delivery under proper receipt."

9. Rule 14AK (2) of the Rules prescribes seven clear days' notice for convening a meeting of the Board and three clear days' notice (in cases of exigency). There can be no quarrel with the proposition that the requirement of notice is intended to ensure transparency and meaningful participation of the Directors in the affairs of the Society. However, the facts of the present case disclose an exceptional situation. The election schedule for the DCC Bank stipulated 26.03.2025 as the last date for communicating the name of the delegate of every affiliated Society. The meeting was originally convened for 24.03.2025 by an emergency notice dated 20.03.2025 issued by the Chief Executive, which afforded three clear days' notice, as contemplated by the second limb of Rule 14AK (2) of the Rules applicable in exigencies. The meeting scheduled to be held on 24.03.2025 could not be held on account of its postponement by the President, and thereafter the Chief Executive expressed his inability to discharge his functions due to illness. It is relevant to state here that on the request made by the other Directors, the Registrar authorised respondent No.5 to convene the meeting. Pursuant to the appointment, respondent No.5 issued a notice rescheduling the meeting of the Board of Directors to 26.03.2025 at 11.00 a.m., calling upon all the Directors to attend the meeting. Significantly, appellant No.1, in his capacity

as the President of the Society, addressed a communication to respondent No.5 questioning his authority to convene the meeting and contending that the notice was contrary to Rule 14AK (2) of the Rules, as it did not provide seven clear days' notice or at least three clear days' notice (in cases of exigency).

10. The translated copy of the said communication dated 25.03.2025 is, for ready reference, extracted hereunder:

"Date: 25/03/25

To Supervisor
Kolar and Chikkaballapur District
Cooperative Central Bank Ltd,
Kolar Branch.

Respected Sir/Madam,

Subject: Regarding the convening of the Board of Directors meeting of the Kyalnur Multi-purpose Rural Agricultural Cooperative Society Ltd., Kyalnur, in violation of the society's by-laws, Cooperative Societies Act 1959, and Rules 1960, 14-AK (2).

In relation to the above subject, a meeting notice has been issued for the Board of Directors meeting of the Kyalnur Multi-purpose Rural Agricultural Cooperative Society Ltd., Kyalnur, scheduled on 26-03-2025 at 11:00 AM under the chairmanship of the D.C.C Bank Supervisor. This is a violation of the society's by-laws, Cooperative Societies Act 1959, and Rules 1960, 14-AK (2). According to Rule 14-AK (2), the Chief Executive Officer, in consultation with the society's president or chairman, must convene the Board of Directors meeting by issuing a notice at least seven clear days in advance as specified in the by-laws. In urgent circumstances, a notice of at least 3 (three) clear days must be issued to convene the Board of Directors meeting. However, the notice you have issued provides only 1 day to

conduct the meeting, and you do not have the authority to convene the meeting.

According to Rule 14-AK (3), the meeting notice must clearly state the location, date, time, and agenda, which is not specified in the said meeting notice.

Even though the society's president is present, no information has been provided - a meeting notice was prepared on 25-03-2025 to convene the meeting on 26-03-2025 at 11:00 AM under the chairmanship of the D.C.C Bank Supervisor. However, the Kolar branch of the D.C.C Bank Supervisor is an ex-officio director of the Board of Directors, and you do not have the authority to convene the meeting. This meeting is against the Cooperative Societies Act 1959, Rules 1960, 14 AK (2) and (3). If you conduct the said meeting, legal action will be taken against you, and the higher authorities will be informed.

Yours faithfully,
(N. Venkatareddy)
President
Kyalanur Multi-purpose Rural
Agricultural Cooperative Society Ltd.,
Kyalnur."

11. The aforesaid communication establishes that appellant No.1, in his capacity as President of the Society, had prior knowledge of the rescheduled meeting. He cannot, therefore, be heard to contend that he was taken by surprise or was denied an opportunity to participate in the said proceedings.

12. The object underlying Rule 14AK (2) is to ensure that the members of the Board receive adequate notice of the meeting so as to enable them to participate effectively in the deliberations. In

the present case, that object stood substantially achieved, inasmuch as appellant No.1 admittedly had knowledge of the meeting and, instead of attending it and placing his objections before the Board, chose to stay away and to question the authority of the Supervisor to convene it. The meeting cannot, on that account, be found fault with.

13. As mentioned above, the original meeting had been convened for 24.03.2025 by an emergency notice dated 20.03.2025, having regard to the urgency arising from the time limit fixed for nomination of the delegate. However, that meeting could not be held for the reasons noticed hereinabove. It is in these peculiar circumstances that the Registrar authorised respondent No.5 to convene the meeting, so as to ensure that the Society did not lose its right to nominate its delegate and participate in the election.

14. The second limb of challenge relates to the competence of the Registrar to appoint a Supervisor and authorise him to convene the meeting. Section 29G of the Act reads as under:

"29G. Appointment of Chief Executive.-(1) For every co-operative society there shall be a Chief Executive who shall be appointed and be removable by the society:

Provided that.-

- (i) Subject to such rules as may be prescribed, in case of an assisted society other than a society in co-operative credit structure, the Government or the Registrar shall have power to appoint and remove the Chief Executives; and
- (ii) in other cases, the Government or the Registrar may appoint Chief Executives where such Society makes a request for appointment of a Chief Executive for a term which shall not be less than five years; and remove such Chief Executive.

x x x
x x x"

15. Section 29G provides that for every co-operative society there shall be a Chief Executive, who shall ordinarily be appointed and be removable by the society itself, and confers upon the Government or the Registrar the power to appoint and remove the Chief Executive in the circumstances specified in the provisos thereto.

16. Further, Sub-section (4) of Section 29G declares that the Chief Executive shall be the Chief Administrative Officer of the society and shall, subject to the general supervision and control of the committee and to such conditions and restrictions as may be specified, exercise the powers and discharge the functions enumerated therein, which include the convening of meetings of the general body and of the board of management in consultation

with the president or chairperson. Although the provision does not expressly employ the words "appoint a Supervisor", the statutory power carries with it all incidental and ancillary powers necessary to make the principal power effective.

17. The appointment of the Supervisor was not for administering the affairs of the Society or superseding the elected Board, but merely to facilitate the convening of a meeting, so that the Board could itself take a decision regarding the election of its representative.

18. The material on record further discloses that the Supervisor did not usurp the functions of the Board. The meeting was held on 26.03.2025 and was attended by 7 out of the 13 Directors, constituting the requisite quorum. In terms of Rule 14AK(11) of the Rules, the Directors present elected one from among themselves to preside over the meeting, and thereafter unanimously elected respondent No.6 as the delegate. Therefore, the contention founded on Section 29G also does not advance the case of the appellants.

19. We are, therefore, in agreement with the reasoning of the learned Single Judge that the authorities acted in a *bona fide*

manner and within the scope of their statutory powers. No prejudice has been demonstrated to have been caused to the appellants, nor has any material been placed on record to establish any mala fides, arbitrariness, or abuse of power. Accordingly, we find no infirmity in the view taken by the learned Single Judge.

20. The impugned order is affirmed and the writ appeal, being devoid of merit, is hereby dismissed.

21. Pending application also stands disposed of.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(K.S. HEMALEKHA)
JUDGE**

AT