IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF DECEMBER, 2020

BEFORE

THE HON'BLE MR.JUSTICE P.S. DINESH KUMAR

WRIT PETITION No.1120 OF 2020 (CS-EL/M)

BETWEEN :

1. SRI GATHAPPA
S/O GANGAPPA
AGED ABOUT 51 YEARS
R/OF SIDDANAHALLI VILLAGE
BYRAKUR HOBLI, MULBAGAL TALUK
KOLAR DISTRICT-563131
MEMBERSHIP NO.0944 (1K)

2. SRI N HANUMANTHAPPA
S/O NAREPPA
AGED ABOUT 56 YEARS
R/OF BEVAHALLI VILLAGE
KASABA HOBLI, MULBAGAL TALUK
KOLAR DISTRICT-563131
MEMBERSHIP NO.0861 (1 K)

3. SRI SRIRAMAPPA
S/O CHOWDAPPA
AGED ABOUT 59 YEARS
R/OF BALASANDRA VILLAGE
KOLAR AMBLICAL
KOLAR DISTRICT-563132
MEMBERSHIP NO.2111 (2 DU)

4. SRI B M KRISHNAPPA
S/O MUNIRAMAIAH
AGED ABOUT 72 YEARS
R/OF BALASANDRA VILLAGE
KOLAR AMBLICAL

KOLAR DISTRICT-563132
MEMBERSHIP NO.2189 (2 DU)

5. SRI K N KRISHNAPPA
S/O NARASIMHAPPA
AGED ABOUT 67 YEARS
R/OF BALASANDRA VILLAGE
KOLAR AMBLICAL
KOLAR DISTRICT-563132
MEMBERSHIP NO.2548 (5 DU)

6. SRI CHINAPPA
S/O NALLA VENKATA BHOVI
AGED ABOUT 59 YEARS
R/OF SIDDANAHALLI VILLAGE
KASABA HOBLI, MULBAGAL TALUK
KOLAR DISTRICT-563131
MEMBERSHIP NO.1023 (2K) …PETITIONERS

(BY SHRI.C.S.VINOD, ADVOCATE-ABSENT)

AND :

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF CO OPERATION
MULTI STORIED BUILDING
DR B R AMBEDKAR VEEDHI
BENGALURU-560 001

2. THE STATE CO-OPEARATIVE ELECTION AUTHORITY
3RD FLOOR, A BLOCK, SHANTHI NAGAR
TTMC BUILDING, KHB ROAD
BENGALURU-560 027

3. THE CO-OPERATIVE ELECTION AUTHORITY
AND ELECTION AUTHORITY FOR
CONDUCTING TO PRIMARY CO-OPERATIVE
AND RURAL DEVELOPMENT BANK LTD.
KOLAR, KOLAR DISTRICT-563101
REP. BY ITS CHIEF EXECUTIVE OFFICER

4. THE JOINT REGISTRAR
OF CO-OPERATIVE SOCIETIES
BENGALURU RANGE, SAHAKAR SOUDHA
MARGOSA ROAD, MALLESWARAM
BENGALURU-560003

5. THE DEPUTY REGISTRAR
OF CO-OPEARTIVE SOCIETIES
KOLAR, KOLAR DISTRICT-563 101

6. THE RETURNING OFFICER
MULBAGAL TALUK PRIMARY
CO-OPERATIVE AGRICULTURE
AND RURAL DEVELOPMENT BANK LTD.
MULBAGAL TALUK
KOLAR DISTRICT-563 131

7. THE PRIMARY CO-OPERATIVE AGRICULTURE AND
RURAL DEVELOPMETN BANK LTD.
MULBAGAL TALUK, MULBAGAL
KOLAR DISTRICT-563 131
REP. BY ITS MANAGER ... RESPONDENTS

(BY SMT. RASHMI PATEL, HCGP FOR R1, R4 & R6;
SHRI. G.V. SHASHIKUMAR, ADVOCATE FOR R3 & R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DECLARE THAT SECTION 20(2) (a-iv) (a-v) THE KARNATAKA CO-OPERATIVE SOCIETIES ACT IS ULTRA VIRES THE LEGISLATIVE COMPETENCE AND ARTICLE 243Z1 AND 243ZO OF THE CONSTITUTION OF INDIA AND ETC.,

THIS WRIT PETITION COMING ON FOR *PRELIMINARY HEARING* THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

None appears for the petitioners.

2. Learned HCGP submits that in this petition, petitioners have prayed for only voting rights. Elections have been conducted and nothing further survives for consideration. Her submission is placed on record.

3. In the circumstance, this petition is ***dismissed*** as having become infructuous reserving liberty to petitioners to seek revival of the petition, if so advised.

No costs.

Sd/-
JUDGE

AV