IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF DECEMBER, 2020

BEFORE

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

WRIT PETITION No.1543/2020 (CS-EL/M)

BETWEEN

1. SRI. THIMMAIAH
S/O. POOVAIAH
AGED ABOUT 63 YEARS
TAKERI VILLAGE,
TAKERI POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236..

2. SRI. SOMAIAH
S/O DEVAIAH
AGED ABOUT 54 YEARS
HARAGA VILLAGE,
HARAGA POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

3. SMT. NETHRAVATHI.O.A
W/O ANANDA
AGED ABOUT 54 YEARS
HARAGA VILLAGE,
HANAGAL POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

4. SRI. ARUNKUMAR.D.K,
S/O. KALAPPA
AGED ABOUT 38 YEARS
KOTTNALLY VILLAGE,
BETTADALLY POST,

SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

5. SRI. ARUNA.G.P,
S/O. POOVAIAH
AGED ABOUT 45 YEARS
JAKKANALLY VILLAGE,
BETTADALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

6. SRI. BALAKI.K.M
S/O. MALLAPPA
AGED ABOUT 45 YEARS
KUDIGANA VILLAGE,
BETTADALLI POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

7. SRI. BASAVARAJU.S.B,
S/O. BASAPPA
AGED ABOUT 40 YEARS
THALTHARESHETTALLY VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

8. SRI. BELLIYAPPA D.S
S/O SOMAIAH
AGED ABOUT 54 YEARS
HARAGA VILLAGE,
HARAGA POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

9. SMT. BOJAMMA.B.S,
W/O. CHANGAPPA
AGED ABOUT 60 YEARS
HARAGA VILLAGE,
HARAGA POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

10. SRI. CHANDRA UDAYA
S/O. UDAYKUMAR
AGED ABOUT 66 YEARS
HARAGA VILLAGE,
HARAGA POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

11. SRI. CHANDRAVATHI K K
S/O KRISHNAPPA
AGED ABOUT 54 YEARS
KUMARALLY VILLAGE,
KUMARALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

12. SRI. CHANGAPPA O B
S/O BIDDAPPA
AGED ABOUT 54 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

13. SMT. CHINNAMMA K C
W/O CHANGAPPA
AGED ABOUT 54 YEARS
KUMARALLY VILLAGE,
KUMARALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

14. SRI. CHINNAPPA.G.E,
S/O. ERAPPA
AGED ABOUT 56 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

15. SRI. DARSHAN.H.T,
S/O. THAMMAIAH
AGED ABOUT 54 YEARS
HARAGA VILLAGE,
HARAGA POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

16. SMT. DEVAMMA.G.M
W/O. MALLAPPA
AGED ABOUT 57 YEARS
HARAGA VILLAGE,
HARAGA POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

17. SRI. DHARMAPPA.H.B,
S/O. BELLIYAPPA
AGED ABOUT 54 YEARS
HARAGA VILLAGE,
HARAGA POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

18. SRI. DHARMAPPA.K.M,
S/O. MUTTANNA
AGED ABOUT 54 YEARS
SHANTHALLY VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

19. SRI. ERAPPA.O.B,
S/O. BASAPPA
AGED ABOUT 36 YEARS
HARAGA VILLAGE,
HARAGA POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

20. SRI. ESHWARA D.K,
S/O. KUTTAPPA
AGED ABOUT 58 YEARS
KUDIGANA VILLAGE,
BETTADALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

21 SRI. GANAPATHI.M.D,
S/O. BASAPPA
AGED ABOUT 38 YEARS
KOTTANALLY VILLAGE,
BETTADALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

22. SRI. GANESHA.K.M,
S/O. MOGANNA
AGED ABOUT 58 YEARS
KUMARALLY VILLAGE,
KUMARALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

23. SRI. GIRISH.B.D,
S/O. DODDAIAH
AGED ABOUT 56 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

24. SMT. GOWRAMMA.O.R,
W/O. RUDRAPPA
AGED ABOUT 51 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

25. SMT. HOOVAMMA.M.N,
W/O. NANJAPPA
AGED ABOUT 51 YEARS
KUMARALLY VILLAGE,
KUMARALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

26. SMT. JANAKI.J.S,
W/O. SUBBAIAH,
AGED ABOUT 51 YEARS
KUMARALLY VILLAGE,
KUMARALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

27. SRI. JAYAKUMAR.K.M,
S/O. MADAPPA
AGED ABOUT 56 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

28. SMT. JAYAMMA
W/O. MADAPPA,
AGED ABOUT 46 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

29. SMT. KAMALA.B.N,
W/O. NAGESH
AGED ABOUT 46 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

30. SMT. KAMALA.H.B,
W/O. BHEEMAIAH,
AGED ABOUT 46 YEARS
KUMARALLY VILLAGE,
KUMARALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

31. SMT. KAMALA.K.M,
W/O. MOGAPPA
AGED ABOUT 46 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

32. SRI. KIRANKUMAR.D.K,
S/O. KALAPPA
AGED ABOUT 46 YEARS
KOTTANALLY VILLAGE,
BETTADALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

33. SRI. KUSHALAPPA.O.A,
S/O. APPAIAH,
AGED ABOUT 52 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

34. SRI. KUTTAPPA.C.K,
S/O. KOMARAPPA
AGED ABOUT 46 YEARS
KOTTANALLY VILLAGE,
BETTADALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

35. SMT. LALITHA.D.P,
W/O. HOOVAIAH,
AGED ABOUT 52 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

36. SMT. LALITHA.K.M,
W/O. MUTTANNA,
AGED ABOUT 52 YEARS
KUMARALLY VILLAGE,
KUMARALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

37 SRI. MITHUNA.B.P,
S/O. PUPPAIAH,
AGED ABOUT 58 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

38. SRI. NAKULA.B.P,
S/O. PUPPAIAH
AGED ABOUT 34 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

39. SRI. NANAIAH.S.N,
S/O. NINGAPPA
AGED ABOUT 48 YEARS
KUMARALLY VILLAGE,
KUMARALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

40. SRI. NANJAPPA.M.R,
S/O. RAMAIAH,
AGED ABOUT 48 YEARS
KUMARALLY VILLAGE,
KUMARALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

41. SRI. NAVEENA.D.S,
S/O. SHIVAIAH
AGED ABOUT 55 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

42. SMT. PARVATHI.B.K,
W/O. KARYAPPA
AGED ABOUT 48 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

43. SMT. HONNAMMA. G.S,
W/O. SURESH
AGED ABOUT 48 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

44 SRI. PRAVENA.D.S,
S/O. SHIVAIAH
AGED ABOUT 48 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

45. SMT. PUTTAMMA B D
W/O DODDAIAH
AGED ABOUT 48 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

46. SRI. RAJITHA M G
S/O GURAPPA
AGED ABOUT 48 YEARS
KOTTANALLYVILLAGE,
BETTALLY POST,
SOMAWARPET TALUK,.
KODAGU DISTRICT-571236.

47. SRI. RAMAKRISHNA N
S/O VEERAPPA
AGED ABOUT 57 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

48. SRI RAMESH H.D.,
S/O DODDAIAH,
AGED ABOUT 57 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

49. SMT. SANDHYARANI B K
W/O KRISHNAPPA
AGED ABOUT 30 YEARS
THALTHARESHETTALLY VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

50. SMT. SAROJA B T
W/O THAMMAIAH
AGED ABOUT 30 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

51. SRI. SHANKARA K R
S/O RUDRAPPA
AGED ABOUT 42 YEARS
BETTADALLY VILLAGE,
BETTADALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

52. SRI SHANTHAKUMAR S S
S/O SHANTHAIAH
AGED ABOUT 53 YEARS
SHANTHALLYVILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

53. SRI SHIVAIAH O S
S/O SUBBAIAH
AGED ABOUT 45 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

54. SRI. SHIVAKUMAR H T
S/O THIMMAIAH
AGED ABOUT 47 YEARS
KUMARALLY VILLAGE,
KUMARALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

55. SMT. SHOBHA D B
W/O BOPAIAH
AGED ABOUT 52 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

56. SRI. SOMAIAH H S
S/O SHIVAIAH
AGED ABOUT 52 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

57. SMT SUJATHA D P
W/O PARMESHA
AGED ABOUT 52 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

58. SMT. SUJATHA G B
W/O BASAVARAJ
AGED ABOUT 52 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

59. SMT. SUNDARI
W/O PONNAPPA
AGED ABOUT 50 YEARS
KUMARALLY VILLAGE,
KUMARALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

60. SRI SURESH G B
S/O BELLIYAPPA
AGED ABOUT 67 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

61. SRI THIMMAIAH B B
S/O BIDDAPPA
AGED ABOUT 67 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

62. SRI. THIMMAIAH C M
S/O MUTTANNA
AGED ABOUT 40 YEARS
THALATHARESHETTALLY VILLAGE,
SHANTHALY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

63. SRI. THIMMAIAH G B
S/O BELLIYAPPA
AGED ABOUT 40 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

64. SRI THAMMANNA K D
S/O SUDDAIAH
AGED ABOUT 40 UYEARS
SHANTHALLY VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

65. SMT. UDAYKUMARI O.T
S/O THIMMAIAH
AGED ABOUT 65 YEARS
HARAGA VILLAGE,
SHANTHALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

66. SMT. VANI K S
S/O ARUNKUMAR
AGED ABOUT 65 YEARS
KOTTANAHALLI VILLAGE,
BETTADALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

67. SRI. VENKATESH B C
S/O CHINNAPPA
AGED ABOUT 62 YEARS
BETTADALLY VILLAGE,
BETTADALLY POST,
SOMAWARPET TALUK,
KODAGU DISTRICT-571236.

...PETITIONERS

(BY SRI D.P.PRASANNA, ADV.)

AND

1. THE STATE OF KARNATAKA,
DEPARTMENT OF CO-OPERATION,
M.S. BUILDING,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU 560001
REPRESENTED BY ITS SECRETARY.

2. THE CO-OPERATIVE ELECTION COMMISSION,
3RD FLOOR, TTMC 'A' BLOCK,
SHANTI NAGAR
BENGALURU 560027
REPRESENTED BY ITS SECRETARY

3. THE DISTRICT ELECTION OFFICER AND
THE DEPUTY REGISTRAR OF
CO-OPERATIVE SOCIETIES
KODAGU DIST,
MADIKERI - 571201

4. THE ASSISTANT REGISTRAR
CO-OPERATIVE SOCIETIES,
MADIKERI SUB, MADIKERI,
KODAGU DISTRICT - 571 201.

5. THE RETURNING OFFICER
PRIMARY AGRICULTURE CREDIT
CO-OPERATIVE SOCIETY LTD.,
SHANTHALLY, SOMAVARAPETE TALUK,
KODAGU DISTRICT - 571436.

6. PRIMARY AGRICULTURE CREDIT
CO-OPERATIVE SOCIETY LTD.,
SHANTHALLY
SOMAVARAPETE TALUK,
KODAGU DISTRICT - 571436
REPRESENTED BY ITS CEO

...RESPONDENTS

(BY SMT. NILOUFER AKBAR, AGA FOR R1,R3,R4 & R5,
SRI G.V.SHASHIKUMAR, ADV. FOR R2.)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DECLARE THAT SECTION 20(2)(a-iv)(a-v) THE KARNATAKA CO-OPERATIVE SOCIETIES ACT, 1959 IS ULTRA VIRES, THE LEGISLATIVE COMPETENCE AND ARTICLE 243ZI AND 243ZO OF THE CONSTITUTION OF INDIA ETC.

THIS WP COMING ON FOR 'ORDERS' THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Heard Shri D.P. Prasanna, learned advocate for the petitioners, Smt. Niloufer Akbar, learned AGA for the State and Shri G.V.Shashi Kumar, learned advocate for respondent No.2.

2. Shri D.P. Prasanna learned advocate submits that elections have already been conducted. Therefore, this petition is rendered infructuous and accordingly prayed for its dismissal. He has filed a memo of even date to the said effect. Memo be kept in record.

3. In the circumstances, the petition is ***dismissed*** as having become infructuous.

No costs.

Sd/-
JUDGE

Chs
CT-HR