IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF DECEMBER, 2020

BEFORE

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

WRIT PETITION NO.1589/2020 (CS-EL/M)

BETWEEN:

1 . SMT MALLIKA A SHETTY
W/O ANIL KUMAR SHETTY
AGED ABOUT 45 YEARS,
'ANUGRAHA, KADENKILA PERAJE MANE,
BALANJA, BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

2 . SRI UDAYA SHETTY
S/O THYAMPANNA SHETTY,
AGED ABOUT 46 YEARS,
HOMILA MANE, PADANGADY POST
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

3 . SMT. SAROJINI NAIK
W/O ESHWAR NAIK,
AGED ABOUT 68 YEARS,
KANNADIKATTE, PADANGADY POST
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

4 . SRI SUBRAMANYA NOORITHAYA
S/O RAMAKRISHNA NOORITHAYA
AGED ABOUT 68 YEARS,
'KADAMBU MANE, THENKAKARANDURU
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

5 . SRI K RATHNAKARA NOORITHAYA
S/O RAMAKRISHNA NOORITHAYA
AGED ABOUT 65 YEARS,
'KADAMBU MANE, THENKAKARANDURU
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

6 . SRI P NEMIRAJA HEGDE
S/O SHANTIRAJA SHETTY
AGED ABOUT 78 YEARS,
PADANGADY POST
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

7 . SRI SHYAMA UPADHAYAYA
S/O CHANDRASHEKARA UPADHAYAYA
AGED ABOUT 39 YEARS,
BOLLAJE MANE, NALIKURU POST
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

8 . SRI JAGANATHA SHETTY
S/O THYAMPANNA SHETTY,
AGED ABOUT 58 YEARS,
'HOMILA MANE, PADANGADY
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

9 . SRI K.RANGANATH NOORITHAYA
S/O RAMAKRISHNA NOORITHAYA
AGED ABOUT 55 YEARS,
'KADAMBU MANE, THENAKAKARANDURU
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

10 . SRI D.PRAKASH
S/O ANANTHRAJ HEGDE,
AGED ABOUT 48 YEARS,
DEVANI MANE, BALANJA POST
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

11 . SRI UMANANDA
S/O BAADU
AGED ABOUT 65 YEARS,
GINDADI, PADANGADY POST,
BELTHANGADY TALUK,
DAKSHINA KANNADA DISTRICT
PIN - 574217

12 . M RAMACHANDRA
S/O CHENNAPPA POOJARY,
AGED ABOUT 58 YEARS,
PRAJWALA NILAYA,
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

13 . SRI UDAY KUMAR MALLA
S/O K.JINARAJ HEGDE,
AGED ABOUT 58 YEARS,
CHANDRAPPA NIVASA,
VALLADHALKE GARDADY,

BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

14 . SMT. KASTURI J SHETTY
W/O S JAYARAMA SHETTY,
AGED ABOUT 69 YEARS,
KODANCHADKA PADANGADY POST
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

15 . SRI JUVAM GOVIAS
S/O MODTHIN GOVIAS,
AGED ABOUT 62 YEARS,
MUKTHIDHAAMA MANE,
PUTHYE PADANGADY, BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

16 . SRI.CHANDRASHEKARA UPADHAYAYA
S/O SHYAMA UPADYAYA
AGED ABOUT 39 YEARS,
BOLLAJE MANE, NALKURU POST,
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

17 . SRI BALAKRISHNA SHETTY
S/O ANNU SHETTY
AGED ABOUT 65 YEARS,
KURALYA MANE, NALKURU POST,
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

18 . SMT. VARADA BAI
W/O VENKATESH MARATHE
AGED ABOUT 80 YEARS,
SULABETTU MANE, NALKURU POST,
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

19 . SRI ANANTH MARATE
S/O VENKATESH MARATE
AGED ABOUT 44 YEARS,
SULABETTU MANE, NALKURU POST,
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

20 . SRI K SATISH SHETTY
S/O ANNU SHETTY
AGED ABOUT 45 YEARS
KURULYA MANE NALKURU POST,
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

21 . SRI SHYLANDRA KUMAR
S/O RAJENDRA HEGDE
AGED ABOUT 42 YEARS,
'SWASTHIK' DEVUNI MANE, BALANJA
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

22 . SRI CHANDRARAJA POOVANI
S/O ANTHAPPA BHANDARI
AGED ABOUT 73 YEARS,
PERANDHA BAILU, BALANJA

BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

23 . SRI K S MATHEW
S/O FRANCIS
AGED ABOUT 51 YEARS,
MITHOTTU, PADANGADY POST,
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

24 . SRI ABBAS BYARI
S/O HASANABBA
AGED ABOUT 54 YEARS,
PAJEMARU GARDADY
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

25 . SMT. VIDYA
D/O RAJENDRA SHETTY
AGED ABOUT 41 YEARS,
KURELLA, NALKURU POST,
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

26 . SRI K SHARATH KUMAR
S/O AMMI SALYAN
AGED ABOUT 49 YEARS,
SAMRIDHI KADAMBU MANE
THENKAKARANDURU,
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

27 . SRI VASANTH SALYAN
S/O SHIVAPPA POOJARY,
AGED ABOUT 67 YEARS,
'KAPINADKA MANE, THENKAKARANDURU
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

28 . SRI UDAYA KUMAR
S/O DHARMAPAL SHETTY
AGED ABOUT 60 YEARS,
PRASANNA VIHARA, NITTADE,
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

29 . SRI PUSHPARAJA
S/O CHANDRARAJA HEGDE
AGED ABOUT 50 YEARS,
SHANTINILAYA, PADANGADY
BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

30 . SRI PASCAL MONIS
S/O B X MONIS,
AGED ABOUT 50 YEARS,
POYYE GUDDE MANE
PADANGADY POST, BELTHANGADY TALUK
DAKSHINA KANNADA DISTRICT
PIN - 574217

...PETITIONERS

(BY SRI.PRANESH CHANDRA, ADVOCATE)

AND

1 . THE STATE OF KARNATAKA
DEPARTMENT OF CO-OPERATION,
M.S.BUILDING
DR AMBEDKAR VEEDHI
BENGALURU - 01
REPRESENTED BY ITS PRINCIPAL SECRETARY

2 . THE STATE CO-OPERATIVE
ELECTION COMMISSION
3RD FLOOR, SHANTINAGAR
T.T.M.C. "A" BLOCK, SHANTINAGAR
BENGALURU - 27
REPRESENTED BY ITS SECRETARY

3 . DEPUTY REGISTRAR OF COOPERATIVE SOCIETIES/
DISTRICT ELECTION OFFICER
JANATHA BAZAR, 1ST FLOOR
GANAPATHI HOSTEL ROAD,
MANGALURU - 575 001

4 . SRI SUBASH JADHAV
RETURNING OFFICER APPOINTED FOR
PRIMARY CO-OPERATIVE AGRICULTURAL
AND RURAL DEVELOPMENT BANK LTD.,
NO.789, BELTHANGADY TALUK
D.K.DISTRICT - 574214

5 . PRIMARY CO-OPERATIVE AGRICULTURAL AND
RURAL DEVELOPMENT BANK LTD.
BELTHANGADY TALUK
BELTHANGADY - 574 214
REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER

….RESPONDENTS

(BY SMT.NILOUFER AKBAR, AGA FOR R.1, 3 & 4;
SRI.G.V.SHASHIKUMAR, ADVOCATE FOR R.2)

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

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

ORDER

None appears for the petitioners.

2. Learned AGA submits that in this petition, petitioners have prayed for only voting rights. Elections have been conducted and nothing further survives for consideration. Therefore, this petition is rendered infructuous and accordingly prayed for its dismissal.

3. Her submission is placed on record. In the circumstance, this petition is ***dismissed*** for having

become infructuous reserving liberty to petitioners to seek revival of the petition, if so advised.

No costs.

Sd/-
JUDGE

NBM