IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF DECEMBER, 2020

BEFORE

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

WRIT PETITION NO.1784/2020 (CS-EL/M)

Between:

1. B.S.Nagendraswamy
S/o Shivappa
Aged about 59 years

2. Nanjundappa
S/o Veerappa
Aged about 65 years

3. Puttaswamy
S/o Shivanappa
Aged about 62 years

4. B.K.Muddappa
S/o Kempanna
Aged about 60 years

5. Shivamurthy
S/o Siddannaiah
Aged about 58 years

6. Nagarajamurthy
S/o Chamappa
Aged about 52 years

7. B.M.Nagaudra
S/o G.Madappa
Aged about 55 years

8 V.Ambika
W/o Bhadrappa
Aged about 62 years

9. Muddappa @ Swamy
S/o Late Muddappa
Aged about 48 years

10. Shivalingaswamy
S/o Muddappa
Aged about 52 years

11. Jayakumar
S/o Venkataramanaiah
Aged about 36 years

12. Siddalingaiah
S/o Puttaranganaisddaiah
Aged about 65 years

13. Neelisiddaiah
S/o Kempasiddaiah
Aged about 65 years

14. K.Ningaraju
S/o Kempasiddaiah
Aged about 60 years

15. K.Rachaiah
S/o Kempasiddaiah
Aged about 62 years

16. Lakshmamma
W/o G.Venkatesh
Aged about 45 years

17. Prma Nandini
W/o Vasanappa
Aged about 55 years

18. Mahadevamma
W/o Sannaiah
Aged about 58 years

19. Kemparaju
S/o Sannaiah
Aged about 36 years

20. Naganna
S/o Nanjundaiah
Aged about 63 years

21. Abdul Wajid
S/o Abdul Khadar
Aged about 58 years

22. Mehaboob Pasha
S/o Usman Sab
Aged about 65 years

23. Aneek
S/o Abdul Rasheed
Aged about 65 years

24. B.Madaiah
S/o Thurulingegowda
Aged about 65 years

25. Siddaramaiah
S/o Basavegowda
Aged about 70 years

26. Somann M
S/o Karageegowdna Madegowda
Aged about 65 years

27. Basavegowda
S/o Malavegowda
Aged about 65 years

28. Madhu
S/o Rameesiddaiah
Aged about 75 years

29. B.S.Shivanna
S/o Siddashetty
Aged about 70 years

30. Chikkamadamma
W/o Beeregowda
Aged about 65 years

31. Mahadevamma
W/o Dyavashetty
Aged about 60 years

Petitioner Nos.1 to 31 are all
R/o Belakavadi Village,
Malavalli Taluk,
Mandya District.

32. Chikkamma
W/o Late Ramegowda
Aged about 65 years
R/o Javanahalli Village
Malavalli Taluk
Mandya District.

33. Javarayi
S/o Sannakkigowda
Aged about 70 years
R/o Javanahalli Village
Malavalli Taluk
Mandya District.

34. Shivanna
S/o Chikkamuddaiah
Aged about 75 years

35. Muddaiah
S/o Addakunna Siddaiah
Aged about 65 years

36. Chikkavenkataiah
S/o Venkatagiriyaiah
Aged about 60 years

37. B.M.Mahadevaswamy
S/o B.Muddaiah
Aged about 48 years

38. Venkatesha B.V
S/o Venkataiah
Aged about 63 years

39. Girish
S/o Muthaiah
Aged about 47 years

40. Muthaiah
S/o Kodagalli Venkataiah
Aged about 65 years

41. B.S.Madhavan
S/o Shivanna
Aged about 54 years

42. Shivashankar
S/o Kyathaiah
Aged about 55 years

43. K.Kalashetty
S/o Kalashetty
Aged about 65 years

44. Nagamma
W/o Kalashetty
Aged about 60 years

45. Gayathri
W/o Marishetty
Aged about 60 years

46. B.M.Mahadevappa
S/o Marilingaiah B.S.
Aged about 55 years

47. Chamaraju B.S
S/o S.Siddashetty @ Kusappa
Aged about 63 years

48. Lakshmamma
W/o G.Venkatesh
Aged about 65 years

49. Lingashetty
S/o Chikkamadashetty
Aged about 60 years

50. Siddashetty
S/o Kalashetty C
Aged about 66 years

51. M.Sadashivappa
S/o Chikkamadashetty
Aged about 46 years
52. M.Lingashetty
S/o Madashetty
Aged about 62 years

53. Rajeshwari
W/o Ganganna B.M
Aged about 45 years

54. S.Raju
S/o Siddashetty
Aged about 48 years

55. B.S.Paramesha
S/o Somaiah M
Aged about 57 years

56. Gayathri
W/o Mallesh
Aged about 38 years

57. Mayamma
W/o Mariswamy
Aged about 58 years

58. B.S.Siddaraju
S/o Siddashetty
Aged about 55 years

59. G.P. Chikkashetty
S/o Kunthuru Puttaswamy
Aged about 65 years

60. Puttananjamma
W/o Late Muddaiah
Aged about 75 years

Petitioner Nos.34 to 60 are all
R/o Belakavadi Village,
Malavalli Taluk,
Mandya District.

61. B.M.Mahadevu
S/o Madashetty
Aged about 62 years
R/o Javanagahalli Village
Malavalli Taluk
Mandya District.

..Petitioners

(By Sri.Kantharaju C.S, Advocate)

And

1. The State of Karnataka
By its Secretary,
Department of Co-operation,
Vidhana Soudha,
Bengaluru – 560 001.

2. The State Co-operative Election
Commission by its Commissioner,
3rd Floor, T.T.M.C 'A' Block,
K.H.Road, Shanthinagara,
Bengaluru – 560 027.

3. The Registrar of Co-operative
Societies in Karnataka, No.1,
Ali Askar Road,
Bengaluru – 560 001.

4. The Election Officer and
Deputy Registrar of Co-operative
Societies,
Mandya District,
Mandya – 571401.

5. The Returning Officer
Sri Jaganmohana Ranganathaswamy
Primary Agriculture
Credit Co-operative Society Ltd.,
Belakavadi,
Malavalli Taluk,
Mandya District – 571417.

6. Sri Jaganmohana Ranganathaswamy
Primary Agriculture Credit Co-operative
Society Ltd.,
Belakavadi,

Malavalli Taluk,
Mandya District – 571417
Represented by its
Chief Executive Officer.

…Respondents

(By Smt.Niloufer Akbar, AGA for R.1 & 3 to 5;
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 Karnataka Co-operative Societies Act, 1959 is ultra virus of the Constitution of India and etc.

This petition coming on for orders this day, the Court made the following:

ORDER

Heard Shri.Kantharaju C S, 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.Kantharaju C S, learned advocate for the petitioners submits that elections have already been conducted. Therefore, this petition is rendered infructuous and accordingly prayed for its dismissal.

He undertakes to send a memo to this effect. Once the memo is received, the Registry shall keep the same in the record.

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

No costs.

Sd/-
JUDGE

NBM