IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF DECEMBER, 2020

BEFORE

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

WRIT PETITION NO.1823/2020 (CS-EL/M)

BETWEEN:

1 . SRI D M KRISHNAPPA
S/O MUNISHAMAPPA
AGED ABOUT 74 YEARS
R/OF DINNEHOSAHALLI VILLAGE
DODDVALLABI,
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.4625

2 . SRI REDDEPPA
S/O NARAYANAPPA
AGED ABOUT 63 YEARS,
R/OF DINNEHOSAHALLI VILLAGE
DODDAVALLABI,
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.9532

3 . SRI KEMPANNA B
S/O KENCHAPPA
AGED ABOUT 65 YEARS,
R/OF BUVANAHALLI VILLAGE
DODDAVALLABI,
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.2654

4 . SRI NARAYANAPPA A D
S/O MUNIVENKATAPPA

AGED ABOUT 65 YEARS,
R/OF BELLURU VILLAGE
DODDVALLABI,
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.2098

5 . SRI GOPALAPPA
S/O CHIKKANARAYANAPPA
AGED ABOUT 62 YEARS,
R/OF DINNEHOSAHALLI VILLAGE
DODDVALLABI,
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.7989

6 . SRI SHINAVAPPA
S/O SEENAPPA
AGED ABOUT 60 YEARS,
R/OF JODI KRISHNAPURA VILLAGE
KOLAR TALUK AND DISTRICT-563101
MEMBERSHIP NO.5132

7 . SRI M GANGAPPA
S/ MALLAPPA
AGED ABOUT 85 YEARS
R/OF MALIYAPPANAHALLI VILLAGE
KURGAL,
KOLAR TALUK AND DISTRICT-563101
MEMBERSHIP NO.2512

8 . SRI NAGAPPA
S/O MALLAPPA
AGED ABOUT 60 YEARS,
R/OF MALIYAPPANAHALLI VILLAGE
KURGAL,
KOLAR TALUK AND DISTRICT-563101
MEMBERSHIP NO.5974

9 . SRI NARAYANAPPA
S/O GANGAPPA,
AGED ABOUT 72 YEARS,
R/OF DINNEHOSAHALLI VILLAGE
DODDVALLABI,
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.2186

10 . SRI ANJINAPPA
S/O GUDIYAPPA
AGED ABOUT 55 YEARS,
R/OF MALIYAPPANAHALLI VILLAGE
KURGAL
KOLAR TALUK AND DISTRICT-563101
MEMBERSHIP NO.6545

11 . SRI CHIKKAPPAIAH
S/O DASAPPA
AGED ABOUT 50 YEARS,
R/OF MALIYAPPANAHALLI VILLAGE
KURGAL
KOLAR TALUK AND DISTRICT-563101
MEMBERSHIP NO.6005

12 . SRI NARAYANASWAMY M
S/O MUNIKEMPANNA
AGED ABOUT 56 YEARS,
R/OF MALIYAPPANAHALLI VILLAGE
KURGAL
KOLAR TALUK AND DISTRICT-563101
MEMBERSHIP NO.6229

13 . SRI KARAGAPPA
S/O NANJAPPA
AGED ABOUT 71 YEARS,
R/OF MALIYAPPANAHALLI VILLAGE
KURGAL

KOLAR TALUK AND DISTRICT-563101
MEMBERSHIP NO.2044

14 . SRI THIMMAIAH
S/O LATE MUNIVENKATAPPA
AGED ABOUT 62 YEARS
R/OF DINNEHOSAHALLI VILLAGE
DODDVALLABI
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.1963

15 . SRI A.MUNISHAMAPPA
S/O MUNISHAMAPPA @ YETTUGALA MUNISHAMAPPA
AGED ABOUT 80 YEARS
R/OF DINNEHOSAHALLI VILLAGE
DODDAVALLABI
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.6529

16 . SMT ASHWATHAMMA
W/O RAMAPPA
AGED ABOUT 58 YEARS,
R/OF DINNEHOSAHALLI VILLAGE
DODDAVALLABI
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.7634

17 . SRI RAMAPPA
S/O LAKSHMAN
AGED ABOUT 58 YEARS,
R/OF DINNEHOSAHALLI VILLAGE
DODDAVALLABI
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.7633

18 . SMT. BYRAMMA @ CHIKKABYRAMMA
W/O CHIKKA RAYAPPA

AGED ABOUT 83 YEARS,
R/OF DINNEHOSAHALLI VILLAGE
DODDAVALLABI
KOLAR TALUK AND DISTRICT- 563133
MEMBERSHIP NO.8824

19 . SRI E CHANDRAPPA
S/O EARAGAPPA
AGED ABOUT 59 YEARS
R/OF CHOWDADENAHALLI VILLAGE
DODDAVALLABI
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.6605

20 . SRI E NAGARAJA
S/O EARAGAPPA
AGED ABOUT 62 YEARS
R/OF CHOWDADENAHALLI VILLAGE
DODDAVALLABI
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.6194

21 . SRI RAMAPPA
S/O CHIKKA KENCHAPPA
AGED ABOUT 83 YEARS,
R/OF CHOKKAPURA VILLAGE
DODDAVALLABI
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.2990

22 . SMT RATHNAMMA
W/O RAMAPPA
AGED ABOUT 56 YEARS,
R/OF CHOKKAPURA VILLAGE
DODDAVALLABI
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.6355

23 . SRI HANUMAPPA
S/O MUNIHANUMANTHAPPA
AGED ABOUT 66 YEARS,
R/OF VISHWANATHAPURA VILLAGE
BELAMANAHALLI
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.2694

24 . SRI C.GANGAPPA
S/O CHIKKAPAIAH
AGED ABOUT 64 YEARS,
R/OF VISHWANATHAPURA VILLAGE
BELAMANAHALLI
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.3505

25 . SRI SEEGALAPPA
S/O MUNIPAPA
AGED ABOUT 69 YEARS,
R/OF VISHWANATHAPURA VILLAGE
BELAMANAHALLI
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.2849

26 . SRI HANUMAPPA
S/O NAGAPPA
AGED ABOUT 66 YEARS,
R/OF VISHWANATHAPURA VILLAGE
BELAMANAHALLI
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.6511

27 . SRI K MUNISHAMAPPA
S/O KENCHAPPA
AGED ABOUT 73 YEARS,
R/OF VISHWANATHAPURA VILLAGE
BELAMANAHALLI

KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.2143

28 . SRI THIMMAIAH
S/O LATE MUNISHAMAPPA
AGED ABOUT 72 YEARS,
R/OF VISHWANATHAPURA VILLAGE
BELAMANAHALLI
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.5024

29 . SMT MUNIYAMMA
W/O MUTTAPPA @ GANGAPPA
AGED ABOUT 65 YEARS,
R/OF VISHWANATHAPURA VILLAGE
BELAMANAHALLI
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.4105

30 . SRI MUNISONAPPA
S/O MUNI CHIKKAPPA
AGED ABOUT 77 YEARS,
R/OF ACHETTANAHALLI VILLAGE
NARASAPURA
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.5255

31 . SRI K.RAJASHEKARAIAH
S/O KULLAPPA
AGED ABOUT 70 YEARS,
R/OF DODDA VALLABHI VILLAGE
NARASAPURA
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.6417

32 . SRI K V NARAYANASWAMY
S/O KEMPANNA
AGED ABOUT 53 YEARS,

R/OF KALKERE VILLAGE
NARASAPURA
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.2645

33 . SRI K NARAYANASWAMY
S/O VENKATAPPA
AGED ABOUT 73 YEARS,
R/OF KALKERE VILLAGE
NARASAPURA
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.2712

34 . SRI KUNTHI VASANTHAPPA
S/O CHIKKA KITAPPA
AGED ABOUT 63 YEARS,
R/OF KARADU BANDE HOSAHALLI VILLAGE
NARASAPURA
KOLAR TALUK AND DISTRICT-563133
MEMBERSHIP NO.3991

...PETITIONERS

(BY SRI.SHANKAR T N, ADVOCATE)

AND

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

2 . THE STATE CO-OPERATIVE
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 AGRICULTURE 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
SAHAKARA SOUDHA
MARGOSA ROAD
MALLESWARAM
BENGALURU-560003

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

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

7 . THE PRIMARY CO-OPERATIVE
AGRICULTURE AND RURAL
DEVELOPMENT BANK LTD.,
KOLAR TALUK, KOLAR
KOLAR DISTRICT-563 131
REPRESENTED BY ITS MANAGER

…RESPONDENTS

(BY SMT.NILOUFER AKBAR, AGA FOR R.1 & 4 TO 6;
SRI.G.V.SHASHIKUMAR, ADVOCATE FOR R.2 & 3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DISQUALIFIED VOTER LIST VIDE ANNEXURE-A DTD 10.01.2020 PUBLISHED BY THE PRIMARY CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD KOLAR TALUK/R-7 IN SO FAR AS THE PETITIONERS ARE CONCERNED AND PERMIT THE PETITIONERS TO PARTICIPATE THE ELECTIONS PROCESS AND TO VOTE IN THE ELECTIONS TO BE CONDUCTED TO THE R-7/SOCIETY ON 26.01.2020 AND ETC.

QUASH THE AMENDED PROVISIONS i.e., SECTION 20(2) (a-iv) AND (a-v) OF THE KARNATAKA CO-OPERATIVE SOCIETIES ACT.

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

No costs.

Sd/-
JUDGE

NBM