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.2132/2020 (CS-EL/M)

BETWEEN:

1 . KARIBASAPPA B M
S/O MURUDABASAPPA
AGED ABOUT 64 YEARS

2 . A ABUSALEHA
S/O ABDULSAB
AGED ABOUT 65 YEARS

3 . M H SIDDAPPA
S/O G HALASIDDAPPA
AGED ABOUT 61 YEARS

4 . K G REVANASIDDAPPA
S/O SRIKANTAPPAGOUDA
AGED ABOUT 54 YEARS

5 . K N VIJAYA
W/O NAGAPPA
AGED ABOUT 48 YEARS

6 . HALESHAPPA Y B
S/O VEERAPPA
AGED ABOUT 50 YEARS

7 . LALITHAMMA
W/O BASAVARAJAPPA
AGED ABOUT 55 YEARS

8 . K SHANKARAPPA
S/O KADAPPA
AGED ABOUT 60 YEARS

9 . G K RAVI
S/O KOTRESHAPPA
AGED ABOUT 45 YEARS

10 . SIDDAPPA KADEMANE
S/O NAGAPPA
AGED ABOUT 55 YEARS

11 . KARIBASAPPA
S/O YALLAKKARA HALAPPA
AGED ABOUT 47 YEARS

12 . PARAMESHWARAPPA
S/O KARISIDDAPPA
AGED ABOUT 65 YEARS

13 . REVANASIDDAPPA
S/O UJJAPPA
AGED ABOUT 69 YEARS

14 . S ANJANEYA
S/O RUDRAPPA
AGED ABOUT 60 YEARS

15 . NAZEER AHAMED
S/O YASIN SAB
AGED ABOUT 68 YEARS

PETITIONER NOS.1 TO 15 ARE
RESIDENTS OF

KUNDURU VILLAGE
KUNDURU CONSTITUENCY
HONNALI TALUK
DAVANAGERE DISTRICT.

16 . KIRANA
S/O SURESHAPPA
AGED ABOUT 35 YEARS

17 . NAGARAJA N B
S/O BASAPPA
AGED ABOUT 61 YEARS

18 . BASAVARAJAPPA S G
S/O ESHWARAYYA
AGED ABOUT 70 YEARS

19 . SURAPPA
S/O NINGAPPA
AGED ABOUT 90 YEARS

20 . MAHADEVAPPA
S/O PUTTAPPA
AGED ABOUT 59 YEARS

21 . B BASAVARAJAPPA
S/O BRAMAPPA
AGED ABOUT 70 YEARS

22 . C B RUDRAPPA
S/O BASAPPA
AGED ABOUT 65 YEARS

23 . KOTRESHAPPA
S/O SANNAGOUDRU BASAPPA
AGED ABOUT 52 YEARS

24 . SHANTHARAJA
S/O BASAPPA
AGED ABOUT 51 YEARS

25 . H SHIVAPPA
S/O HALASIDDAPPA
AGED ABOUT 61 YEARS

26 . N B LOKESH
S/O BASAVARAJAPPA
AGED ABOUT 42 YEARS

PETITIONER NOS.16 TO 26
ARE RESIDENTS OF
YAKKINAHALLI VILLAGE
KUNDURU CONSTITUENCY
HONNALI TALUK
DAVANAGERE DISTRICT.

27 . M HALASWAMY
S/O SHIVANANDAPPA
AGED ABOUT 43 YEARS
R/AT KUNDURU VILLAGE
KUNDURU CONSTITUENCY
HONNALI TALUK
DAVANAGERE DISTRICT.

28 . KRISHNAPPA N H
S/O N HANUMANTHAPPA
AGED ABOUT 60 YEARS
R/AT KUMBALURU VILLAGE
KUNDURU CONSTITUENCY
HONNALI TALUK
DAVANAGERE DISTRICT.

29 . J B ANJANEYA
S/O K G BASAVARAJAPPA
AGED ABOUT 48 YEARS

30 . MARULASIDDANAGOUDA
S/O M MARAMASHIVAIAH
AGED ABOUT 54 YEARS

31 . K G BASAVARAJAPPA
S/O SRIKANTAPAGOUDA
AGED ABOUT 70 YEARS

32 . G B PRAKASH
S/O K G BASAVARAJAPPA
AGED ABOUT 78 YEARS

33 . ANJANEYA M G R
S/O M G REVANASIDAPPA
AGED ABOUT 65 YEARS

34 . K G BHARATHRAJ
S/O SRIKANTAPPAGOUDA
AGED ABOUT 68 YEARS

35 . B KARIBASAPPA
S/O BHARAMAPPA
AGED ABOUT 65 YEARS

PETITIONER NOS.29 TO 35 ARE
RESIDENTS OF
KUNDURU VILLAGE
KUNDURU CONSTITUENCY
HONNALI TALUK
DAVANAGERE DISTRICT.

...PETITIONERS

(BY SRI.CHANDRASHEKAR G M, ADVOCATE)

AND

1 . THE STATE OF KARNATAKA
DEPARTMENT OF CO-OPERATION,
M S BUILDING,

DR B R AMBEDKAR VEEDHI
BANGALORE-560001.
REPRESENTED BY ITS SECRETARY.

2 . THE STATE CO-OPERATIVE
ELECTION AUTHORITY
3RD FLOOR, SHANTHI NAGAR
T.T.M.C, KHB ROAD
BENGALURU-560002.

3 . JOINT REGISTRAR OF
CO-OPERATIVE SOCIETIES
OFFICE OF CO-OP. SOCIETY
REGISTRAR,
NO.1, ALIASKAR ROAD
BENGALURU-560052.

4 . DISTRICT ELECTION OFFICER
CO-OPERATIVE SOCIETIES REGISTRAR OFFICE,
DAVANAGERE DISTRICT,
DAVANAGERE-577001.

5 . THE MANAGER
HONNALI TALUK PRIMARY
CO-OPERATIVE AGRICULTURE AND RURAL
DEVELOPMENT BANK LTD.,
HONNALI,
DAVANAGERE DISTRICT-577217.

6 . RETURNING OFFICER
HONNALI TALUK PRIMARY CO-OPERATIVE
AGRICULTURE AND RURAL
DEVELOPMENT BANK LTD.,
HONNALI,
DAVANAGERE DISTRICT-577217.

…RESPONDENTS

(BY SMT.NILOUFER AKBAR, AGA FOR R.1, 3, 4 & 6;

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 THE 97TH THE AMENDMENT TO THE CONSTITUTION BY INSERTING PART IXB TO THE CONSTITUTION OF INDIA IS IN VIOLATION OF ARTICLE 368(2) OF THE CONSTITUTION OF INDIA AND ALSO AGAINST THE BASIC STRUCTURE OF THE CONSTITUTION OF INDIA AND ARTICLE 246(3) 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 on 31.01.2020 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