IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF AUGUST, 2021

BEFORE

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

WRIT PETITION No.31 OF 2020 (CS-EL/M)

BETWEEN :

THE CHIEF EXECUTIVE OFFICER
PRIMARY AGRICULTURE CREDIT
CO-OPERATIVE SOCIETY LTD.
UPPARAKANAHALLI VILLAGE,
KERAGODU HOBLI,
MANDYA TALUK AND DISTRICT ...PETITIONER

(BY SHRI.S.VELUMURUGAN, ADVOCATE)

AND :

1 THE STATE OF KARNATAKA
BY ITS SECRETARY,
DEPARTMENT OF CO-OPERATION,
VIDHANA SOUDHA,
BANGALORE-560001

2 THE STATE CO-OPERATIVE ELECTION COMMISSION
BY ITS COMMISSIONER,
3RD FLOOR, SHANTHINAGAR TTMC,
A BLOCK, K.H. ROAD, SHANTHINAGAR,
BANGALORE-560027.

3 THE REGISTRAR OF CO-OPERATIVE SOCIETIES
IN KARNATAKA, NO.1, ALI ASKAR ROAD,
BANGALORE-560001

4 THE ELECTION OFFICER
AND DEPUTY REGISTRAR OF
CO-OPERATIVE SOCIETIES,
MANDYA DISTRICT,
MANDYA-571401.

5 THE ASSISTANT REGISTRAR
OF CO-OPERATIVE SOCIETIES,
MANDYA SUB-DIVISION,
MANDYA-571401 …RESPONDENTS

(BY SHRI M.VINOD KUMAR, AGA FOR R1 TO 3 & 5;
SHRI.T.L.KIRAN KUMAR, ADVOCATE FOR R2)

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 ARE ULTRA VIRES THE CONSTITUTION OF INDIA AND ETC.,

THIS WRIT PETITION COMING ON FOR *PRELIMINARY HEARING* THIS DAY THE COURT MADE THE FOLLOWING:

ORDER

This Court, vide order dated 04.08.2021 has disposed of W.P.No.48973/2019 and connected matters, wherein the validity of Section 20(2)(a-iv) and (a-v) of the Karnataka Co-operative Societies Act, 1959, was challenged. While upholding the validity, this Court has observed that the amended provisions of the Act namely, Section 20(2)(a-iv) and (a-v) shall be effective for elections to be held post disposal of the writ petitions and

all actions prior to the date of pronouncement of order shall remain undisturbed.

2. In view of the said order, this petition is ***disposed of*** in similar terms as per order dated 04.08.2021 passed in W.P.No.48973/2019 and connected matters.

No costs.

Sd/-
JUDGE

AV