**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 22ND DAY OF MAY, 2025**

**BEFORE**

**THE HON'BLE MR JUSTICE C M JOSHI**

**WRIT PETITION NO. 14993 OF 2025 (CS-RES)**

**BETWEEN:**

1. SMT. JAYASHREE
   W/O YOGESH
   AGED 35 YEARS
   PRESIDENT/DIRECTOR
   KADARAMANGALA MILK PRODUCERS
   CO-OPERATIVE SOCIETY
   KASABA HOBLI
   CHANNAPATTANA TALUK
   RAMANAGARA DISTRICT 562160

2. SMT. SUNITHA K R
   W/O LATE RAJU
   AGED 44 YEARS
   DIRECTOR
   KADARAMANGALA MILK PRODUCERS
   CO-OPERATIVE SOCIETY
   KASABA HOBLI
   CHANNAPATTANA TALUK
   RAMANAGARA DISTRICT 562160

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3. SMT. YASHODAMMA
   W/O THIMMEGOWDA
   AGED 54 YEARS
   DIRECTOR
   KADARAMANGALA MILK PRODUCERS
   CO-OPERATIVE SOCIETY
   KASABA HOBLI
   CHANNAPATTANA TALUK
   RAMANAGARA DISTRICT 562160

4. SMT. KAMALAMMA
   W/O CHANNAPPA

AGED 57 YEARS
DIRECTOR
KADARAMANGALA MILK PRODUCERS
CO-OPERATIVE SOCIETY
KASABA HOBLI
CHANNAPATTANA TALUK
RAMANAGARA DISTRICT 562160

5. SMT. PAVITRA
S/O RAVIKUMAR KT
AGED 39 YEARS
DIRECTOR
KADARAMANGALA MILK PRODUCERS
CO-OPERATIVE SOCIETY
KASABA HOBLI
CHANNAPATTANA TALUK
RAMANAGARA DISTRICT 562160

6. SMT. PREETHI HS
W/O NAGARAJU K
AGED 41 YEARS
DIRECTOR
KADARAMANGALA MILK PRODUCERS
CO-OPERATIVE SOCIETY
KASABA HOBLI
CHANNAPATTANA TALUK
RAMANAGARA DISTRICT 562160

…PETITIONERS

(BY SRI. VARUN JAYKUMAR PATIL., ADVOCATE)

**AND:**

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

2. THE REGISTRAR CO-OPERATIVE SOCIETIES

ALI ASKER ROAD BANGALORE-560001.

3. THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES
RAMANAGARA SUB DIVISION
RAMANAGARA-562 160.

4. THE KADARAMANGALA MILK PRODUCERS
CO-OPERATIVE SOCIETY
KASABA HOBLI
CHANNAPATTANA TALUK
RAMANAGARA DISTRICT 562160
REPRESENTED BY ITS SECRETARY
REGISTERED UNDER KARNATAKA
CO-OPERATIVE SOCIETIES ACT, 1959

5. THE DEPUTY COMMISSIONER
RAMANAGARA DISTRICT
RAMANAGARA-562 160

6. THE BANGALORE URBAN,
BANGALORE RURAL AND RAMNAGAR DISTRICT
CO-OPERATIVE MILK PRODUCERS CO-OPERATIVE
SOCIETY M.H MARIGOWDA ROAD,
DR COLLEGE POST BANGALORE 560029
REPRESENTED BY ITS SECRETARY
REGISTERED UNDER KARNATAKA
CO-OPERATIVE SOCIETIES ACT, 1959

…RESPONDENTS

(BY SRI. K.SHASHIKIRAN SHETTY, ADVOCATE GENERAL
A/W SMT. PRATHIMA HONNAPUR, AAG
A/W SRI BHAJEGOWDA T KOLLER AGA FOR R1 TO R3 AND R5
SRI B.L.SANJEEV, ADVOCATE FOR R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI QUASHING THE NOTICE DATED 25.04.2025 BEARING NO. SANIRA-46/NOTISU/2025-26 PASSED BY THE R-3 VIDE ANNEXURE-C AND ISSUE ANY WRIT OR ORDER OR DIRECTION AS THIS COURT DEEMS FIT UNDER THE CIRCUMSTANCES OF THE CASE.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE C M JOSHI

**ORAL ORDER**

Heard learned counsel for petitioners and learned Advocate General for respondents-State.

2. The petitioners herein for one or the other reason are likely to be disqualified in the elections.

3. It is the case of the petitioners that they may not be permitted to vote as there is various other factors leading to it, including certain misappropriation, and the previous conduct, and that they had not attended the meetings.

4. The question whether they are to be permitted to vote or not? is the matter which has to be determined by the Assistant Registrar of Co-operative Societies.

5. If for any reason, the Assistant Registrar of Co-operative Societies holds that these petitioners are disqualified, the right of hearing and an opportunity for them would be ended. In that view of the matter, an interim arrangement has to be made. Hence, the following;

**ORDER**

i) The petitioners be permitted to cast their votes in the election to be held on 25.05.2025.

ii) The votes cast by the respective petitioners be kept in a separate ballot box and shall continue to be retained in a separate box until the disposal of the dispute if any raised between the petitioners and the Co-operative Society.

iii) The Assistant Registrar of Co-operative Societies, shall decide the matter regarding qualification of the petitioners to vote in a time bound manner and in all the probabilities not more than 15 days from the date of this order.

iv) After such finding the ballot box which has been kept separately be considered in accordance with the order passed by the Assistant Registrar of Co-operative Societies.

v) In other words, the counting of the votes will take place after the Assistant Registrar of Co-operative Societies give such a finding.

vi) The Returning Officer is at liberty to declare the results if the winning margin is more than the votes kept in the separate ballot box.

Accordingly, the petition is disposed of.

**Sd/-**
**(C M JOSHI)**
**JUDGE**

SRK
List No.: 1 Sl No.: 250