HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 8794 OF 2026 (GM-RES- PIL)

BETWEEN:

1. SRI SHAMANTH KUMAR JAIN
S/O. YUVARAJ BALIPA
AGED ABOUT 46 YEARS
OCCUPATION: BUSINESS
RESIDING AT DOOR NO.2-510
KALENJIRODY, PADDANAGADY
BELTHANGADY TALUK - 574 217

2. SRI GANESH K
S/O SANTHAPPA MOOLYA
AGED ABOUT 40 YEARS
OCCUPATION: CIVIL ELECTRICAL CONTRACTOR
R/AT KONTU PALKE GOUSE
KUVETTU, GURUVAYANAKERE
BELTHANGADY
DAKSHINA KANNADA DISTRICT - 574 217

3. SRI SHASHIRAJ SHETTY
S/O PURANDARA SHETTY
AGED ABOUT 38 YEARS
OCCUPATION: AUTO DRIVER
R/AT GANESHA NILAYA
KUVETTU, GURUVAYANAKERE
BELTHANGADY
DAKSHINA KANNADA DISTRICT - 574 217

…PETITIONERS

(BY SRI BALARAJ V.R., ADVOCATE)

Digitally signed by AMBIKA H B
Location: High Court of Karnataka

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF RURAL
DEVELOPMENT AND PANCHAYATH RAJ
M.S. BUILDING, DR. B. R. AMBEDKAR VEEDHI
BENGALURU - 560 001
REPRESENTED BY ITS
PRINCIPAL SECRETARY

2. THE STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY
DEPARTMENT OF SCHOOL EDUCATION
AND LITERACY
M. S. BUILDING, DR. B. R. AMBEDKAR VEEDHI
BENGALURU - 560 001
REPRESENTED BY ITS
PRINCIPAL SECRETARY

3. THE DIRECTOR
DEPARTMENT OF SCHOOL
EDUCATION (PRE- UNIVERSITY)
18TH CROSS, MALLESHWARAM
BENGALURU - 560 003

4. THE ASSISTANT DIRECTOR
TOWN AND RURAL PLANNING DEPARTMENT
GROUND FLOOR, PRAJA SOUDHA
D.K. DISTRICT ADMINISTRATIVE BUILDING
PADIL, MANGALURU - 570 007

5. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING
DIVISION OFFICE
MYSORE DIVISION, MYSORE - 570 001

6. DEPUTY COMMISSIONER
DAKSHINA KANNADA DISTRICT
MANGALURU - 575 001

7. TAHSILDAR
BELTHANGADY TALUK
D.K. DISTRICT - 574 214

8. PANCHAYAT DEVELOPMENT OFFICER (PDO)
KUVETTE GRAM PANCHAYATH
BELTHANGADY TALUK
DK. DISTRICT - 574 214

9. ENVIRONMENTAL OFFICER
KARNATAKA STATE POLLUTION
CONTROL BOARD (KSPCB)
BAIKAMPADY, MANGALURU - 575 011

10. DISTRICT FIRE OFFICER
KARNATAKA STATE FIRE AND
EMERGENCY SERVICES MANGALURU
D.K. DISTRICT - 575 001

11. MR. SUMANTH KUMAR JAIN
FOUNDER/DIRECTOR/CHAIRMAN
EXCEL PU COLLEGE GURUVAYANAKERE
BELTHANGADY TALUK
D.K. DISTRICT - 574 214

12. M/S. INFINITY LEARNING FOUNDATION
REPRESENTED BY ITS CHAIRMAN/SECRETARY
GURUVAYANAKERE
BELTHANGADY TALUK
D.K. DISTRICT - 574 214

13. M/S. EXCEL PRE-UNIVERSITY COLLEGE
GURUVAYANAKERE
BELTHANGADY TALUK
D.K. DISTRICT - 574 214
REP. BY ITS PRINCIPAL/
AUTHORIZED SIGNATORY

...RESPONDENTS

(SMT. NILOUFER AKBAR, AGA FOR R-1 TO 7 & 10;
SRI NARAYANA SWAMY, ADVOCATE FOR R-11 & 12)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA READ WITH RULE 14(1) OF THE HIGH COURT OF KARNATAKA (PUBLIC INTEREST LITIGATION) RULES, 2018 PRAYING TO ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT No. 3 TO 5 AND 9 TO CONSIDER THE REPRESENTATION OF THE PETITIONERS AS PER ANNEXURE-D,

D1 TO D3 DATED 09.01.2026 AND 30.01.2026 RESPECTIVELY & ETC.

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

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The petitioners have filed the present petition as a public interest litigation, *inter alia,* praying that directions be issued to respondent Nos.3 to 5 and 9 to consider their representations. The petitioners also pray that directions be issued to respondent Nos.1 and 2 to conduct an enquiry and cancel the registration and approvals obtained by respondent Nos.11 to 13.

2. The petitioners allege that respondent No.12 is a Trust and its trustees are running an educational institution in the name of Excel Techno School (pre-primary to 10th standard). The said Trust also runs Excel Pre-University College (respondent No.13). It is alleged that the approvals for construction of the infrastructure/building of the said institutions have been obtained by forged documents. In particular, it is alleged that the

conversion certificate has been fabricated by forging the signature of the concerned Tahsildar (respondent No.7).

3. In view of the allegations, we consider it apposite to direct the respondent authorities to examine the allegations whether any of the documents on the basis of which approval for construction has been obtained have been fabricated by forging the signature of any public authority or public officers.

4. The petition is disposed of with the aforesaid observations.

5. Needless to state that if it is found that any of the approvals have been obtained by such forged documents, the concerned authority shall take steps in accordance with law.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(C.M. POONACHA)
JUDGE

AHB
List No.: 1 Sl No.: 3