HC-KAR
CNR: KAHC010407882026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

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

WRIT PETITION NO. 18641 OF 2026 (GM-CC)

BETWEEN:

1. MR. SHIVASHANKAR
S/O BHUCHAPPA,
AGED ABOUT 44 YEARS,
RESIDING AT BALAMANDE VILLAGE
AND POST, BANGARAPETE TALUK,
KOLARA DISTRICT-563129

...PETITIONER

(BY SRI. SATHVIK G, ADVOCATE FOR
SRI. KASHINATH J D.,ADVOCATE)

AND:

1. THE CHAIRMAN AND
THE DEPUTY COMMISSIONER
DISTRICT LEVEL CASTE VERIFICATION
COMMITTEE KOLARA DISTRICT,
KOLAR-563101.

2. THE JOINT DIRECTOR AND
MEMBER SECRETARY
DISTRICT LEVEL CASTE VERIFICATION
COMMITTEE KOLARA DISTRICT,
OFFICE OF THE JOINT DIRECTOR,
DEPARTMENT OF SOCIAL WELFARE,
KOLAR DISTRICT KOLAR-563101

3. THE TAHSILDAR

BANGARAPETE TALUK, BANGARAPETE,
KOLAR DISTRICT-563114

4. SUPERINTENDENT OF POLICE
DIRECTOR OF CIVIL RIGHTS
ENFORCEMENT (CRE) KOLAR DISTRICT,
KOLAR-563101

5. SRI. K.C NARAYANASWAMY
AGED ABOUT MAJOR, PRESIDENT,
SRI MAHARSHI NAYAKA MAHASABHA (R)
BANGARPET TALUK,
KOLAR DISTRICT-563114

…RESPONDENTS
(BY SRI. C. JAGADISH.,ADVOCATE FOR R1 TO R4)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH IN THE IMPUGNED BEARING NO. MAG(1)/CR-82/2018-19 DATED 18.05.2026 ISSUED BY THE R1 COMMITTEE AS PER ANNX-A AS ILLEGAL AND WITHOUT JURISDICTION.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

1. The present writ petition is filed seeking for the following reliefs:

> *"i. Issue writ or order or any other writ in the nature of certiorari to QUASH in the impugned order bearing No. MAG(1)/CR-82/2018-19 dated: 18-05-2026 issued by the Respondent No. 1 committee as per Annexure-A as illegal and without jurisdiction.*

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MONNAPPA POONACHA

ii. Issue any other writ or order or direction or any other direction deems fit to the facts and circumstances of the case to meet then interest of justice."

2. The petitioner has filed the present writ petition impugning the order dated 18.05.2026 (Annexure-A to the writ petition) which is passed by the respondent No.1 - District Level Caste Verification Committee, Kolar[1].

3. The primary contention of the petitioner is that the Committee does not have jurisdiction to pass the order. It is noticed that the Committee is required to act in terms of Section 4C of the Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of Appointment, etc.) Act, 1990[2]. Section 4C of the Act reads as under:

"4C. Verification of Caste Certificate and Income and Caste Certificate.- (1) The State Government shall constitute one or more Verification Committees for each district consisting of such person or persons as may be prescribed for verification of caste certificate and income and caste certificate issued under section 4A or section 4B.

[1] Hereinafter referred to as 'Committee'

[2] Hereinafter referred to as 'Act'

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(2) Any person who has obtained a caste certificate or an income and caste certificate under section 4A or 4B or the appointing authority or any authority making admission to a course of study in the university or any educational institution may make an application to the Verification Committee in such form and in such manner as may be prescribed for issue of a validity certificate.

(3) The Verification Committee may after holding such enquiry as it deems fit within thirty days from the date of the application either grant a validity certificate in a prescribed form or reject the application."

4. It is also relevant to notice Section 4F of the Act, which reads as under:

"4F. Revision by Deputy Commissioner.-

(1) The Deputy Commissioner may at any time either suomoto or on an application made to him with in the prescribed period, call for and examine the records relating to any decision made or order passed by the Tahasildar under section 4A or the Assistant Commissioner under section 4B, for the purposes of satisfying himself as to the legality, propriety of such decision or order and if, in any case, it appears to the Deputy Commissioner that any such decision or order shall be modified, annulled, revised or remitted for reconsideration, he may pass orders within thirty days accordingly;

provided that the Deputy Commissioner shall not pass any order prejudicial to any person unless such person is given an opportunity of being heard.

(2) The Deputy Commissioner may, stay the execution of any such decision or order pending the exercise of his powers under sub-section (1) in respect thereof.

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(3) After passing the orders under sub-section (1), the Deputy Commissioner shall report to the concerned competent authority to place the concerned Tahsildar under suspension for issue of false caste certificate. The concerned competent authority shall act upon the report within fifteen days after receipt of the report pending enquiry.

(4) In case of other officials who are responsible for recommending and submitting false report regarding the caste certificate, the Deputy Commissioner shall place them under suspension immediately pending enquiry."

5. In the present case, based on the complaint made by a third party, the impugned order dated 18.05.2026 has been passed. A bare perusal of Section 4F of the Act clearly demonstrates that the Deputy Commissioner is empowered to take steps in terms of Section 4F of the Act and it is not the Committee that is empowered to pass the order, as has been done in the present case.

6. In view of the same, the relief sought for in the present petition merits consideration. Accordingly, the order bearing No.MAG (1)/CR-82/2018-19 dated 18.05.2026 (Annexure-A to the writ petition) passed by the Respondent No.1 - Committee is hereby quashed.

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7. This order shall not preclude the concerned respondents from taking further steps/measures in accordance with law. The writ petition is partly allowed in the aforementioned terms.

8. All rights and contentions of the parties in that regard are kept open to be adjudicated in appropriate proceedings.

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(C.M. POONACHA)
JUDGE

BS - List No.: 4 Sl No.: 4