HC-KAR

NC: 2026:KHC:60213
WP No. 19504 of 2025

CNR: KAHC010434222025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 19504 OF 2025 (CS-RES)

BETWEEN:

SRI K P UMESH
S/O PUTTEGOWDA
AGED ABOUT 38 YEARS
PRESIDENT OF KRISHNAPURA MILK PRODUCERS
CO-OPERATIVE SOCIETY LIMITED,
R/O KRISHNAPURA VILLAGE,
CHANNAPATNA TALUK,
RAMANAGARA DISTRICT-562159.

...PETITIONER

(BY SRI. M.R.RAJAGOPAL, SENIOR ADVOCATE FOR
SRI. THILAKRAJ S.V., ADVOCATE)

AND:

Digitally signed by PREMCHANDRA M R
Location: HIGH COURT OF KARNATAKA

1. THE STATE OF KARNATAKA
BY ITS SECRETARY,
DEPARTMENT OF CO-OPERATIVE SOCIETIES
VIDHAN SOUDHA
BENGALURU-560001.

2. THE ASSISTANT REGISTRAR
OF CO-OPERATIVE SOCIETIES,
RAMANAGARA SUB DIVISION,
RAMANGARA-562159.

3. THE CHIEF EXECUTIVE OFFICER
OR SECRETARY
KRISHNAPURA HALU
UTHPADAKARA SAHAKARA SANGHA

KRISHNAPURA,
VIRUPAKSHAPURA HOBLI,
CHANNAPATNA TALUK,
RAMANAGARA DISTRICT-562160.

4. SMT. KAMALAMMA
W/O PUTTASWAMYGOWDA
AGE NOT KNOWN

5. SRI. RAMESH
S/O LATE SANNEGOWDA
AGE NOT KNOWN

6. SRI. KRISHNEGOWDA
S/O KEMPEGOWDA
AGE NOT KNOWN

7. SRI. RAJEGOWDA
S/O PANCHALINGEGOWDA
AGE NOT KNOWN

8. SRI. NINGAPPA
S/O NINGEGOWDA
AGE NOT KNOWN

9. SRI. CHANNAPPA
S/O GUNDEGOWDA
AGE NOT KNOWN

10. SRI. SHIVARAM S
S/O PUTTASWAMYGOWDA
AGE NOT KNOWN

11. SRI. MAHALINGA
S/O LATE KEMPEGOWDA
AGE NOT KNOWN

12. SMT. SHASHIKALA
W/O SHIVANANJEGOWDA
AGE NOT KNOWN

13. SRI. SHINAIAH
S/O CHIKKASHINAIAH
AGE NOT KNOWN

RESPONDENTS NO.4 TO 13 ARE
RESIDING AT KRISHNAPURA,
VIRUPAKSHAPURA HOBLI,
CHANNAPATNA TALUK,
RAMANAGARA DISTRICT-562160.

…RESPONDENTS

(BY SRI. YOGESH D.NAIK, AGA FOR R1 AND R2;
SRI. HARIPRASAD M.B., ADVOCATE FOR
R3 TO R8, R10, R11 AND R13;
R9 AND R12 ARE SERVED AND UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN RELIEFS.

THIS WRIT PETITION IS LISTED FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.M.R.Rajagopal., Senior counsel on behalf of Sri.Thilakraj S.V., for the petitioner, Sri.Yogesh D. Naik., Additional Government Advocate for respondent Nos.1 and 2 and Sri.Hariprasad M.B., counsel for respondent Nos.3 to 8, 10, 11 and 13, appeared in person.

2. The key facts are as follows:

The petitioner and respondent Nos.4 to 13 were elected members of the Managing Committee of respondent No.3-Society during January 2024. The petitioner was elected as the President and respondent No.4 – Smt.Kamalamma was elected as the Vice-President of the Society.

After the constitution of the Board, several meetings of the Managing Committee have taken place and the dates of the meetings were duly intimated to all the members of the Managing Committee of the Society. However, several meetings were cancelled on different dates, despite notices having been issued to all the members of the Managing Committee, for want of quorum. Though the meetings were duly intimated well in advance and in fact, all the members of the Managing Committee are residents of the same village, respondent Nos.4 to 13

have not chosen to remain present in the meetings without assigning any reason.

It is stated that the Vice-President-Smt.Kamalamma colluded with the other members of the Managing Committee and made efforts to prevail over the petitioner, keeping an eye on the post of President. On 05.02.2025, the respondents made certain allegations against the petitioner and hence, a request was made to remove him from the post of President and to hand over the authority to the Vice-President.

Upon receipt of the complaint, the Assistant Registrar of Co-operative Societies [ARCS] issued a show-cause notice to the petitioner, calling upon him to submit his explanation within seven days. In response to the show-cause notice, the petitioner submitted his explanation denying the allegations. Thereafter, proceedings were initiated under the provisions of the relevant Act and an order was passed disqualifying the petitioner. The

petitioner assailed the said order before this Court in Writ Petition No.12162/2025. This Court allowed the petition and remanded the matter to the ARCS for fresh consideration. In the said writ petition, the petitioner was directed to appear before the ARCS on 16.05.2025 at 03:00 p.m. Accordingly, the petitioner appeared on the said date. The matter was thereafter adjourned to 17.05.2025 and on subsequent occasions, at intervals, and ultimately, it was adjourned to 09.06.2025.

The grievance of the petitioner is that the matter was preponed to 30.05.2025 without his knowledge. The matter was taken up on 30.05.2025 and adjourned to 31.05.2025. On 31.05.2025, in the absence of the petitioner, the ARCS proceeded with the matter and passed the impugned order disqualifying the petitioner. Under these circumstances, the petitioner is before this Court.

3. Counsel for the respective parties presented several contentions. Heard the arguments and perused the papers with utmost care.

4. The issue falls within a narrow compass and relates to the grievance of the petitioner that the proceedings were preponed without his knowledge and the impugned order came to be passed. The order sheet of the ARCS is produced along with the writ petition. A perusal of the same reflects that the matter was adjourned to 09.06.2025. However, the date was preponed to 30.05.2025. A perusal of the order sheet also reflects that the petitioner was not notified about the preponement of the date and the matter was adjourned to 31.05.2025. The order sheet dated 31.05.2025 clearly reflects that the petitioner was absent. However, without hearing the petitioner and his counsel, the ARCS proceeded to pass the impugned order. Taking note of the absence of the petitioner and the fact that he was not notified about the

preponement of the case, this Court deems it appropriate to afford an opportunity to the petitioner to put forth his contentions before the ARCS. Accordingly, proceeded to pass the following:

ORDER

(i) The writ petition is ***allowed***.

(ii) The order dated 31.05.2025 passed by the ARCS, produced at Annexure-L, is quashed. The matter is remanded to respondent No.2-ARCS and the ARCS is directed to restore the case to the registry.

(iii) The ARCS is directed to issue notice to all the parties and hear the matter afresh in accordance with law.

Sd/-
(JYOTI M)
JUDGE

AM
List No.: 2 Sl No.: 38