HC-KAR

NC: 2026:KHC:60220
WP No. 25550 of 2025

CNR: KAHC010559662025

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. 25550 OF 2025 (CS-RES)

BETWEEN:

1. NIJALINGU
   S/O CHIKKANNA
   AGED ABOUT 55 YEARS,

2. BYREGOWDA
   S/O. KAATAPPA,
   AGED ABOUT 64 YEARS,

3. C. JAGADEESH
   S/O. K.B.CHELUVAIAH,
   AGED ABOUT 55 YEARS,

4. UMESH
   S/O. PRAKASH,
   AGED ABOUT 52 YEARS,

5. NANDISH KUMAR
   S/O. VENKATAIAH,
   AGED ABOUT 53 YEARS,

6. K. R. RAVI
   S/O. RAMAKRISHNA,
   AGED ABOUT 45 YEARS,

7. BORAPPA
   S/O. KARIYAPPA,
   AGED ABOUT 56 YEARS,

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

PETITIONERS ARE ALL
DIRECTORS OF
K.SHATTYHALLI PRIMARY AGRICULTURE
CREDIT CO-OPERATIVE SOCIETY LTD.,
K.SHATTYHALLI VILLAGE,
SRIRANGAPATTANA TALUK,
MANDYA DISTRICT-571438
THE SOCIETY REGISTERED UNDER
THE KARNATAKA CO-OPERATIVE
SOCIETIES ACT 1959

…PETITIONERS

(BY SRI. SANDESH T.B., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF CO-OPERATION
VIKAS SOUDHA, BENGALURU-560 001
REPRESENTED BY ITS SECRETARY

2. THE STATE CO-OPERATIVE
ELECTION AUTHORITY,
3RD FLOOR, TTMC A BLOCK,
K.H.ROAD, SHANTINAGAR,
BENGALURU-560027,
REPRESENTED BY ITS SECRETARY.

3. DEPUTY REGISTRAR OF
CO-OPERATIVE SOCIETIES,
MANDYA SUB-DIVISION
MANDYA DISTRICT,
MANDYA-571401.

4. ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES,
PANDAVAPURA SUB-DIVISION,
SHRIRANGAPATTANA TALUK,
MANDYA DISTRICT-571438.

5. THE RETURNING OFFICER
OF K SHETTYHALLI PRIMARY AGRICULTURE
CREDIT CO-OPERATIVE SOCIETY LTD.,
K SHETTYHALLI VILLAGE,
SHRIRANGAPATTANA TALUK,
MANDYA DISTRICT-571438.
THE SOCIETY REGISTERED UNDER
THE KARNATAKA CO-OPERATIVE ACT, 1959

6. K SHETTYHALLI PRIMARY AGRICULTURE
CREDIT CO-OPERATIVE SOCIETY LTD,
K SHETTYHALLI VILLAGE,
SHRIRANGAPATTANA TALUK,
MANDYA DISTRICT-571438
REPRESENTED BY ITS
CHIEF EXECUTIVE OFFICER
THE SOCIETY REGISTERED UNDER
THE KARNATAKA CO-OPERATIVE ACT, 1959

7. ADMINISTRATOR
K SHETTYHALLI PRIMARY AGRICULTURE
CREDIT CO-OPERATIVE SOCIETY LTD.,
K SHETTYHALLI VILLAGE,
SHRIRANGAPATTANA TALUK,
MANDYA DISTRICT -571438.
THE SOCIETY REGISTERED UNDER
THE KARNATAKA CO-OPERATIVE ACT, 1959

…RESPONDENTS

(BY SRI. YOGESH D.NAIK, AGA FOR R1, R3, R4, R5 AND R7;
VIDE COURT ORDER DATED 21.08.2025,
NOTICE TO R2 AND R6 DISPENSED WITH)

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.Sandesh.T.B., counsel for the petitioners and Sri.Yogesh D. Naik., Additional Government Advocate for respondent Nos.1, 3, 4, 5 and 7, appeared in person.

2. The writ petition is filed seeking following reliefs:

> *"i. Issue a writ or certiorari quash the impugned order dated 13.05.2025 in bearing No.DRY:A1/XSN/02/2024-25 passed by the 3rd respondent vide Annexure-G, in the interest of justice and equity;*
>
> *ii. Issue a writ of mandamus directing the Respondent Nos.3 and 4 to consider the petitioners representation dated 04.08.2025 vide Annexure-H and H1;*
>
> *iii. Issue a writ of mandamus directing the respondent No.5 returning officer to conduct the fresh office bearer's election of the 6th*

respondent society, in the interest of justice and equity;

iv. Issue such other order or direction as this Hon'ble Court deems fit under the circumstances of the case in the interest of justice and equity."

3. Counsel for the petitioners and AGA presented several contentions.

Counsel for the petitioners, while presenting his arguments, strenuously urged that pursuant to the order dated 13.05.2025, the elected Directors of the Society had informed the Deputy Registrar of Co-operative Societies [DRCS] about the formation of the quorum and requested him to conduct the election to the office bearers of the Society. He argued that, without taking note of the said representation, the Government extended the period of the Administrator. However, the period of the Administrator was extended by order dated 15.06.2026 for a further period of six months. Counsel, therefore, submits

that since the quorum is available, there is no impediment to conducting the election to the office bearers of the Society.

AGA submits that an appropriate order may be passed.

4. Heard the arguments and perused the papers carefully.

5. The issue falls within a narrow compass. Suffice it to note that, by an order dated 13.05.2025, an Administrator came to be appointed to the Society for a period of six months. The said order clearly stipulates that if all the members of the Managing Committee express their willingness to elect the office bearers, the Administrator is directed to take necessary steps in accordance with law.

Pursuant to the order dated 13.05.2025, a representation was submitted to the DRCS informing him

about the availability of quorum. It was stated that, as per the bye-laws of the Society, the strength of the Board is 12 Directors and out of the 12 Directors, a quorum of 07 Directors is required. It was further stated that 07 Directors were ready to constitute the Board of the Society. Hence, a request was made to conduct the election to the office bearers of the Society. The DRCS, without taking note of the representations at Annexures-H and H1, erroneously extended the period of the Administrator for a further period of six months.

In the considered opinion of this Court, the extension of the period of the Administrator was not called for at all. The reason is apparent and evident from Annexures-H and H1, which were brought to the notice of the DRCS regarding the availability of quorum. Hence, what was required to be considered was to take appropriate steps to conduct the election to the office bearers of the Society.

Under these circumstances, this Court deems it appropriate to direct the DRCS-respondent No.3 and ARCS-respondent No.4, to conduct the election to the office bearers of the Society, as the quorum is now formed, within one month from the receipt of a certified copy of this order.

6. With the above observations, the writ petition is ***disposed of***.

Because of disposal of the Writ Petition, interim order granted if any stands discharged and pending interlocutory applications if any are disposed of.

Sd/-
(JYOTI M)
JUDGE

AM
List No.: 2 Sl No.: 40.1