HC-KAR
NC: 2026:KHC:60618
WP No. 31472 of 2026
CNR: KAHC010689672026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF OCTOBER, 2026

BEFORE

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

WRIT PETITION NO. 31472 OF 2026 (GM-PDS)

BETWEEN:

1. MR KIRAN KUMAR M T
SON OF LATE THIMMEGOWDA M.B
AGED ABOUT 34 YEARS
RESIDENT OF M.B HALLI VILLAGE,
CHANNAPATNA TALUK,
BENGALURU RURAL DISTRICT-562108

…PETITIONER

(BY SRI. SHANKAR H S.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
TO GOVERNMENT, DEPARTMENT OF FOOD
AND CIVIL SUPPLIES, VIKASA SOUDHA,
DR.B.R.AMBEDKAR VEEDI,
BENGALURU-560001

2. THE DEPUTY DIRECTOR
FOOD AND CIVIL SUPPLIES DEPARTMENT
BENGALURU SOUTH DISTRICT-562159

3. THE DEPUTY COMMISSIONER
BENGALURU SOUTH DISTRICT-562159

…RESPONDENTS

(BY SRI.HARISHA A S, AGA)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE IMPUGNED ENDORSEMENT DATED 29.08.2026 VIDE NO. BEN DA/U NI/AHARA/ANUKAMPA/11/2026-27 PASSED BY THE R2 (ANNX-E) AND CONSEQUENTLY DIRECT THE R2 TO CONSIDER THE CLAIM OF THE PETITIONER AS PER APPLICATION / REPRESENTATION DATED 17.04.2026 (ANNX-D).

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

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

ORAL ORDER

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

> *"a) Issue a writ of certiorari by quashing the impugned dated: 29.08.2026, vide ಸಂಖ್ಯೆ: ಬೆಂದ/ಉನಿ/ಆಹಾರ/ಅನುಕಂಪ/11/2026-27 passed by the 2nd respondent (ANNEXURE-E) and consequently directs the respondent No.2 to consider the claim of the Petitioner as per Application/ Representation dated: 17/04/2026 (ANNEXURE-D).*
>
> *b) Grant such other orders as this Hon'ble deems fit to pass under the facts and circumstances of the case, in the interest of Justice and equity."*

2. The petitioner has made an application dated 17.04.2026 (Annexure-D to the writ petition) seeking for transfer of authorisation that was granted to his father who held an authorisation for a Fair Price Depot. The said application was

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rejected vide endorsement dated 29.08.2026 (Annexure-E to the writ petition). Being aggrieved, the present writ petition is filed.

3. Learned counsel for the petitioner submits that the endorsement has been issued on the ground that the deceased was aged 68 years.

4. Learned counsel for the petitioner submits that in a similar fact situation in the case of ***M.S.Nagesha V/s State of Karnataka and others***[1] as well as various other judgments, this Court has granted reliefs. The operative portion of the order passed by a Co-ordinate Bench of this Court in the case of ***M.S.Nagesh***[1] is as under:

> *"(i) Writ Petition is allowed.*
>
> *(ii) The impugned endorsement dated 16.01.2025 issued by respondent No.2, is hereby quashed.*
>
> *(iii) Respondent No.2 is hereby directed to issue authorization to the petitioner in the light of the observations made in W.P.No.22431/2024 and connected matters dated 11.09.2024.*

[1] in W.P. No.5401/2025 disposed of on 17.03.2025

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(iv) Respondent No.2 to issue authorization in favour of the petitioner without seeking any permission from respondent No.2.

(v) The said exercise shall be completed within a period of 3 months from the date of receipt of a copy of this order."

5. In view of the aforementioned, similar orders are to be passed in the present writ petition also.

6. Hence, the following:

ORDER

i) Writ petition is partly allowed.

ii) The impugned endorsement bearing No. *ಸಂಖ್ಯೆ: ಬೆಂದ/ಉನಿ/ಆಹಾರ/ಅನುಕಂಪ* dated 29.08.2026 (Annexure-E to the writ petition) issued to respondent No.2 is hereby quashed.

iii) Respondent No.2 shall consider the application dated 17.04.2026 (Annexure-D to the writ petition) for transfer of authorisation without regard to the age of the deceased, subject to the petitioner complying with all other stipulations in accordance with law. The said exercise to be

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completed within a period of eight weeks from the date of receipt of copy of this order.

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(C.M. POONACHA)
JUDGE

BS
List No.: 1 Sl No.: 16