HC-KAR

NC: 2026:KHC:59637
WP No. 32198 of 2026

CNR: KAHC010705432026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION NO. 32198 OF 2026 (GM-CPC)

BETWEEN:

1. COORG WILDLIFE SOCIETY (CWS),
REGISTERED UNDER KARNATAKA SOCIETIES
REGISTRATION ACT,
REPRESENTED BY ITS SECRETARY
PRESENTLY MR. C.P. AIYAPPA
NEAR DFO QUARTERS, CHAIN GATE,
MADIKERI, KODAGU DISTRICT - 571201.

…PETITIONER

(BY SRI. K.S. PONNAPPA, ADVOCATE)

AND:

1. COL. C.P. MUTHANNA
AGED ABOUT 71 YEARS,
S/O CHEPPUDIRA MUTHANNA
POONACHA, ATHUR VILLAGE AND POST,
KAIKERI, PONNAMPET TALUK,
SOUTH KODAGU - 571213.

…RESPONDENT

(BY SRI. DEEPAK B.R., ADVOCATE)

Digitally signed by VINUTHA B S
Location: High Court of Karnataka

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE IMPUGNED ORDER DATED 06.06.2026 PASSED BY THE LEARNED SENIOR CIVIL JUDGE, MADIKERI IN MA NO.5/2025.

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

CORAM: HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

The present petition is filed impugning the order passed in M.A. No. 5/2025, whereby the operation of the resolution dated 19.11.2024, expelling the plaintiff from the membership of the petitioner-Society for a period of three years, has been stayed.

2. Learned counsel appearing for the petitioner submits that the proceedings were initiated in accordance with the Bye-laws by issuing a show-cause notice in respect of the complaint received. It is submitted that the show-cause notice was duly issued in terms of the Bye-laws, but the same remained unanswered. Consequently, the resolution dated 19.11.2024 came to be passed.

2.1 It is further submitted that, while the enquiry into the complaint is pending, the Appellate Court was not justified in keeping the resolution dated 19.11.2024 in abeyance.

3. *Per contra*, learned counsel appearing for the respondent submits that the entire proceedings, commencing with the

issuance of the show-cause notice, were initiated on the basis of the complaint lodged by Sri Naveen Bopaiah. It is submitted that the respondent and Sri Naveen Bopaiah entered into a compromise on 17.12.2024, agreeing to withdraw the complaint, and that the said agreement was placed before the petitioner-Society for its consideration. However, disregarding the same, the petitioner-Society is seeking to implement the resolution expelling the respondent from its membership.

3.1 It is further submitted that the First Appellate Court, having considered the aforesaid aspects, has rightly stayed the operation of the resolution dated 19.11.2024.

4. Considered the submissions of learned counsel for the parties and perused the record.

5. The subject matter of the suit is the resolution dated 19.11.2024 expelling the plaintiff from the membership of the petitioner-Society for a period of three years. The said resolution was passed on the basis of the complaint stated to have been lodged by Sri K. Naveen Bopaiah, on the ground that

the plaintiff had failed to comply with the show-cause notices issued to him.

6. If the operation of the resolution is not stayed and the suit ultimately culminates in a decree holding the resolution to be impermissible, the plaintiff would be placed in an irreversible position, as the loss of membership for the stipulated period of three years cannot be adequately remedied retrospectively. Further, the complainant and the plaintiff are stated to have entered into a compromise on 17.12.2024, and the same has been placed before the petitioner-Society for its consideration.

7. Any alleged misconduct may, however, be enquired into by the petitioner-Society in accordance with law. At this interlocutory stage, this Court finds it appropriate to uphold the order passed by the First Appellate Court staying the operation of the resolution dated 19.11.2024, pending conclusion of the proceedings before the competent forum.

8. This Court finds no error or infirmity in the impugned order warranting interference in the present writ petition. However, it is made clear that the stay of the operation of the

resolution dated 19.11.2024 shall not preclude the petitioner-Society from proceeding with the enquiry already initiated. The respondent shall cooperate with the said enquiry.

With the above observations, the writ petition stands ***disposed of***.

SD/-
(K. V. ARAVIND)
JUDGE

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List No.: 1 Sl No.: 17