



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

WRIT PETITION NO. 18155 OF 2026 (CS-EL/M)

BETWEEN:

1. SRI. RAVISHA
S/O GOPALAKRISHNA
AGED ABOUT 43 YEARS
RESIDENT OF MAVINAPALLA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.68.
2. SRI. SUBRAHMANYA
S/O PADHMANABHA GOWDA
AGED ABOUT 62 YEARS
RESIDENT OF PADDAMBAILU HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.8.
3. SRI. KARUNAKARA
S/O KRISHNAPPA GOWDA
AGED ABOUT 72 YEARS
RESIDENT OF ADPANGAYA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.1.





4. SRI. VEERAYYA GOWDA
S/O ANNAYYA GOWDA
AGED ABOUT 48 YEARS
RESIDENT OF PADDAMBAILU HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.53.
5. SRI. RADHAKRISHNA MAVINAPALLA
S/O NARAYANA
AGED ABOUT 62 YEARS
RESIDENT OF MAVINAPALLA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.62.
6. SRI. MADHUSUDHANA
S/O POOVAYYA GOWDA
AGED ABOUT 60 YEARS
RESIDENT OF MAVINAPALLA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.62.
7. SMT. PUSHPALATHA
W/O KARUNAKARA
AGED ABOUT 65 YEARS
RESIDENT OF ADPANGAYA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.2.
8. SRI.UMESH N.
S/O KITTAPPA S.GOWDA
AGED ABOUT 65 YEARS



RESIDENT OF NARALU HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.20.

9. MR.HASAINAR HAJI GORADKA
S/O. POKARE HAJI
AGED ABOUT 55 YEARS
RESIDENT OF GORADKA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.34.
10. SMT. PARAMESHWARI
W/O YASHWANTH
AGED ABOUT 48 YEARS
RESIDENT OF PADDAMBAILU HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.28.
11. MR. K.H.HASAINAR
S/O ABDULLA
AGED ABOUT 68 YEARS
RESIDENT OF GULUMBU HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.23.
12. MR. ABDULLA A.
S/O MAHAMMAD
AGED ABOUT 62 YEARS
RESIDENT OF AJJAVARA MASJID
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239



MEMBERSHIP NO.91.

13. SRI.HONNAPPA GOWDA
S/O SHIVANNA GOWDA
AGED ABOUT 68 YEARS
RESIDENT OF ADPANGAYA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.51.
14. SRI. PRASHANTH A.D.
S/O BHAVANISHANKARA
AGED ABOUT 68 YEARS
RESIDENT OF ADPANGAYA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.60.
15. MR ABBOBAKKAR T.H.
S/O HASAINAR
AGED ABOUT 40 YEARS
RESIDENT OF THUPPEKALLU HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.61.
16. MR.MAHAMMAD SHAREEF
S/O HASSAINAR G.
AGED ABOUT 47 YEARS
RESIDENT OF MAVINAPALLA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.63.



17. MR. A.B.ASHRAF
S/O ABDULLA
AGED ABOUT 38 YEARS
RESIDENT OF BANTRABAILU HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.72.

18. SRI.UPENDRA,
S/O ANNAPPA GOWDA
AGED ABOUT 57 YEARS
ATHYADY HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.39.

19. SRI.CHANDRASHEKARA
S/O.GUDDAPPA GOWDA
AGED ABOUT 58 YEARS
RESIDENT OF ATHYADY
PELTHADY HOUSE
MAVINAPALLA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.108.

20. SRI.SHASHIDHARA A.R.
S/O RAMACHANDRA GOWDA
AGED ABOUT YEARS
RESIDENT OF SHIRAJE HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.109.



21. SRI. ARUNA KUMAR
S/O PADHMANABHA GOWDA
AGED ABOUT YEARS
RESIDENT OF PADDAMBAILU HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.89.

22. SRI. ELYANNA GOWDA
S/O KUTYAPPA GOWDA
AGED ABOUT YEARS
RESIDENT OF KARLAPPADI HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.10.

23. SRI. BHASKARA S.K.
S/O JATTAPPA GOWDA
AGED ABOUT 52 YEARS
RESIDENT OF SHIRAJE HOUSE
MAVINAPALLA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.13.

24. SRI. BALAKRISHNA
S/O HUKRAPPA GOWDA
AGED ABOUT 68 YEARS
RESIDENT OF KALANJABAKILU HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.36.

25. SRI. BALAKRISHNA
S/O PAKEERA GOWDA



AGED ABOUT 68 YEARS
RESIDENT OF MAVAJI HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.54

26. MR. SIDDIQ M.
S/O ABDULLA
AGED ABOUT 47 YEARS
RESIDENT OF MAVINAPALLA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.57.
27. SRI VASUDEVA
S/O RAMANNA ACHARI
AGED ABOUT 58 YEARS
RESIDENT OF MAVINAPALLA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.59.
28. SRI. MADHAVA ATHYADI
S/O PADMAYYA GOWDA
AGED ABOUT 55 YEARS
RESIDENT OF ATHYADI HOUSE (NARALU)
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.21.
29. SRI. SHIVARAMA ATHYADI
S/O PADMAYYA GOWDA
AGED ABOUT 63 YEARS
RESIDENT OF ATHYADI HOUSE (NARLAU)
AJJAVARA POST AND VILLAGE



SULLIA TALUK, DK-574 239
MEMBERSHIP NO.26.

30. SMT. SAVITHA A.V.
W/O VENKATRAMANA
AGED ABOUT 57 YEARS
RESIDENT OF ADPANGAYA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.38.

31. SMT. DHARMAVATHI M.
W/O BALAKRISHNA
AGED ABOUT 58 YEARS
RESIDENT OF ADPANGAYA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.40.

32. SRI. SUKUMARA
S/O POOVANI GOWDA
AGED ABOUT 69 YEARS
RESIDENT OF KODTHUGULI HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.52.

33. MR. SHAFI
S/O MAHAMMAD
AGED ABOUT 55 YEARS
RESIDENT OF ADKA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.58.



34. SRI. VASU POOJARY
S/O SHANKARA POOJARY
AGED ABOUT 47 YEARS
RESIDENT OF MAVINAPALLA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.64.

35. SRI. GANESH M.M.
S/O MUDDA
AGED ABOUT 48 YEARS
RESIDENT OF MAVINAPALLA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.67.

36. SRI. ALAGAYYA P.
S/O T.PONNAN
AGED ABOUT 58 YEARS
RESIDENT OF MEDINADKA HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.80.

37. SRI. KUSHALAPPA GOWDA
S/O ANNAYYA GOWDA
AGED ABOUT 55 YEARS
RESIDENT OF ATHYADY PELTHADY HOUSE
AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.86.

38. SRI. T.VENKATAKRISHNA ACHAR
S/O MANJAYYA ACHARY
AGED ABOUT YEARS



RESIDENT OF AJJAVARA POST AND VILLAGE
SULLIA TALUK, DK-574 239
MEMBERSHIP NO.92.

...PETITIONERS

(BY SRI. BALAKRISHNA SHASTRY, SR.ADVOCATE FOR
SRI. VENUGOPALA M.S., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF CO OPERATION
VIKASA SOUDHA
DR. B.R.AMBEDKAR VEEDHI
BENGALURU-560 001.
REP. BY ITS SECRETARY.
2. THE STATE CO-OPERATIVE
ELECTION AUTHORITY
3RD FLOOR, TTMC A BLOCK
K.H.ROAD, SHANTHINAGARA
BENGALURU-560 027.
REP. BY ITS SECRETARY.
3. AJJAVARA HAALU UTPADAKARA
SAHAKARI SANGHA NIYAMITA, AJJAVARA
A SOCIETY REGISTERED UNDER
THE KARNATAKA CO OPERATIVE
SOCIETIES ACT 1959
HAVING ITS REGISTERED OFFICE AT
AJJAVARA VILLAGE AND POST
SULLIA TALUK, DK DISTRICT-574 239.
REPRESENTED BY ITS
CHIEF EXECUTIVE OFFICER.



4. THE RETURNING OFFICER
AJJAVARA HAALU UTPADAKARA
SAHAKARI SANGHA NIYAMITA, AJJAVARA
AND CO-OPERATIVE DEVELOPMENT OFFICER
OFFICE OF DEPUTY REGISTRAR OF
CO OPERATIVE SOCIETY
DK DISTRICT, MANGALORE-575 001.
5. THE ELECTION OFFICER
AND DEPUTY REGISTRAR OF
CO-OPERATIVE SOCIETIES
DAKSHINA KANNADA DISTRICT
MANGALORE-575 001.

...RESPONDENTS

(BY SRI. YOGESH D.NAIK, AGA FOR R1, R4 & R5;
SRI. A.DEVARAJA, ADVOCATE FOR R2;
SRI. P.DHANANJAYA, ADVOCATE FOR R3)

THIS PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF MANDAMUS DIRECTING RESPONDENT NOS.2 TO 5 TO INCLUDE THE NAME OF THE PETITIONERS IN THE ELIGIBLE VOTERS LIST AND PERMIT THE PETITIONERS TO CAST THEIR VOTES IN THE ELECTIONS TO THE 3RD RESPONDENT SOCIETY WHICH IS SCHEDULED TO BE HELD ON 21/06/2026 AS PER CALENDAR OF EVENT VIDE ANNEXURE-D DATED 02.06.2026 IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.

THIS PETITION COMING ON FOR ORDERS, THROUGH PHYSICAL HEARING/VIDEO CONFERENCING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE M.I.ARUN

ORAL ORDER

1. The writ petition pertains to denial of voting rights to the petitioners who are the members of respondent no.3-Society. Elections are scheduled to be held on 21.06.2026. The society is said to be consists of 121 members, of which 79 members are declared ineligible voters for various reasons. Amongst the said 79 ineligible voters, 38 persons have approached this Court by filing the aforementioned writ petition.

2. The specific case of the petitioners is that, voters list has been prepared in contravention of the provisions of Rule 13D of the Karnataka Co-operative Societies Rules, 1960 (for short 'the Rules, 1960'). It is specifically contended that they are not ineligible but are eligible voters. However, erroneously they have been considered as ineligible voters. It is submitted that the same is done with an ulterior motive of favoring certain individuals and the act of respondent is resulted in there being only 42 members being eligible voters out of 121 members. Hence, the present writ petition is filed with the following prayers:



"a). Issue a writ of Mandamus directing the Respondent no.2 to 5 to include the name of the Petitioners in the eligible voters list and permit the petitioners to cast their votes in the elections to the 3rd Respondent Society which is scheduled to be held on 21.06.2026 as per calendar of event vide Annexure-D dt: 2.6.2026 in the interest of justice and equity.

and:

b). Issue such other writ or directions as this Hon'ble court deems fit to be granted in the facts and circumstances of the case by allowing this writ petition in the interest of justice and equity."

3. *Per contra*, learned counsel for the respondents justify the orders passed and they submit that there is no irregularities and that the petitioners are in fact are ineligible to vote for the reasons stated in Annexure-G to the writ petition and the said lists of eligible voters and ineligible voters have been prepared strictly in compliance of the laws including Rule 13D of the Rules, 1960. On the said grounds, it is prayed that the writ petition be dismissed.

4. Whether the petitioners are eligible voters or ineligible voters involves adjudication of the disputed question of facts which this Court in exercise of its power under Article 226 of



the Constitution of India cannot decide. Further, this Court in W.P.No.29014/2023 and also in W.A.No.100619/2024 has held that petitioners are having an alternative and efficacious remedy under Section 70 of the Karnataka Co-operative Societies Act, 1959 (for short 'the Act, 1959') in this type of case.

5. However, the apprehension of the petitioners is that the Registrar tend to not adjudicate the dispute raised within the time frame prescribed and on most occasions the term of the office bearers will be over by the time the disputes are resolved and the same becomes infructuous. For that reason, it is submitted that though there is an alternative remedy but the same is not efficacious and hence, it would be appropriate for this Court to adjudicate the dispute.

6. However, it is seen that the *lis* involves disputed question of facts which requires adducing evidence by the parties concerned and for that reason, it may not be appropriate for this Court to entertain the writ petition. Further, learned AGA upon instructions, submits that, if the petitioners were to raise a dispute before the jurisdictional Assistant Registrar of Co-



operative Societies, the same would be adjudicated strictly in compliance within the time frame mentioned in Section 71(5) of the Act, 1959. Hence, I proceed to pass the following:

ORDER

- (i) The writ petition is hereby ***dismissed*** reserving the liberty to the petitioners to approach the appropriate authority as per Section 70 of the Karnataka Co-operative Societies Act, 1959;
- (ii) If such a dispute is raised, the same shall be adjudicated upon within the time frame strictly prescribed under Section 71(5) of the Act, 1959.

**Sd/-
(M.I.ARUN)
JUDGE**