

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF JANUARY, 2021

BEFORE

THE HON'BLE MR.JUSTICE P.S.DINESH KUMAR

WRIT PETITION No.2253/2020 (CS-EL/M)

BETWEEN

1. BASAVARAJU M
S/O MALLEGOWDA @ CHOLLEGOWDA
AGED ABOUT 52 YEARS
MEMBERSHIP NO.1801

2. MAHADEVU
S/O CHIKKADEVEGOWDA
AGED ABOUT 48 YEARS
MEMBERSHIP NO.3698

3. VEEREGOWDA M
S/O LATE MAYAPPA
AGED ABOUT 70 YEARS
MEMBERSHIP NO.1708

4. SIDDIAH D
S/O DEVEGOWDA
AGED ABOUT 65 YEARS
MEMBERSHIP NO.0786

5. DEVAMMA
W/O MALLEGOWDA @ CHOLLEGOWDA
AGED ABOUT 80 YEARS
MEMBERSHIP NO.0765

6. KAMALAMMA
W/O MAYAPPA
AGED ABOUT 68 YEARS
MEMBERSHIP NO.1743

7. DUNDAMMA
W/O MAHADEVU
AGED ABOUT 50 YEARS
MEMBERSHIP NO.3044

8. KAMALACHARI
S/O CHOWDACHARI
AGED ABOUT 68 YEARS
MEMBERSHIP NO.2889

9. JAYALAKSHMI
W/O KAMALACHAR
AGED ABOUT 58 YEARS
MEMBERSHIP NO.3075

10. HARI M
S/O MAYAPPA
AGED ABOUT 48 YEARS
MEMBERSHIP NO.1744

11. KEMPAIAH K
S/O KEMPAIAH
AGED ABOUT 70 YEARS
MEMBERSHIP NO.1453

12. PUTTASWAMARADHYA N
S/O NANJUNDARADHYA
AGED ABOUT 50 YEARS
MEMBERSHIP NO.3499

13. NAGESH M N
S/O NAGIAH V
AGED ABOUT 46 YEARS
MEMBERSHIP NO.3349

14. GOUTHAMCHAND R
S/O RUPCHAND
AGED ABOUT 53 YEARS
MEMBERSHIP NO.6045

15. SUNDARAMMA @ CHOWDAMMA
W/O NAGEGOWDARA CHOWDEGOWDA
AGED ABOUT 55 YEARS
MEMBERSHIP NO.0975

16. DAYASHANKAR M S
S/O SHIVAPPA M
AGED ABOUT 55 YEARS
MEMBERSHIP NO.1485

17. DEVARAJU
S/O THAMMANNAGOWDA K
AGED ABOUT 65 YEARS
MEMBERSHIP NO.0027

18. SIDDARAJU
S/O KUNARACHEGOWDANA CHANNEGOWDA
AGED ABOUT 43 YEARS
MEMBERSHIP NO.3582

19. NAGANNA
S/O CHIKKEGOWDA @ SANNEGOWDA
AGED ABOUT 55 YEARS
MEMBERSHIP NO.1661

20. THIMMEGOWDA @ THAMMAIAH
S/O LATE CHIKKANNA
AGED ABOUT 58 YEARS
MEMBERSHIP NO.2739

21. MADEGOWDA H
S/O THIBBEGOWDA @ HUCHEGOWDA
AGED ABOUT 70 YEARS
MEMBERSHIP NO.2763

22. SOMASUNDAR
S/O MALLU M H
AGED ABOUT 58 YEARS
MEMBERSHIP NO.1617

23. BASAMMA
W/O NANJEGOWDA @ MOLLEGOWDA
AGED ABOUT 71 YEARS
MEMBERSHIP NO.2378

24. MAHADEVASWAMY M N
S/O NANJEGOWDA
AGED ABOUT 43 YEARS
MEMBERSHIP NO.2717

25. MANJUNATH K
S/O KEMPAIAH K
AGED ABOUT 47 YEARS
MEMBERSHIP NO.2288

26. SUBBAMMA C
S/O SIDDEGOWDA
AGED ABOUT 70 YEARS
MEMBERSHIP NO.2842

27. MAHADEVAMMA
W/O BOMMEGOWDA
AGED ABOUT 48 YEARS
MEMBERSHIP NO.1525

28. SUNILKUMAR
S/O LATE CHIKKARAJEGOWDA
AGED ABOUT 46 YEARS
MEMBERSHIP NO.3434

29. MUTHAIAH M V
S/O VENKATAPPA M B
AGED ABOUT 54 YEARS
MEMBERSHIP NO.1697

30. MUTHURAMADAS N
S/O NEELADASEGOWDA
AGED ABOUT 52 YEARS
MEMBERSHIP NO.1984

31. BOMMEGOWDA
S/O SHIVAGEGPWDA
AGED ABOUT 55 YEARS
MEMBERSHIP NO.1526

32. MAHADEVU
S/O SILLEKEMPEGOWDA
AGED ABOUT 68 YEARS
MEMBERSHIP NO.2779

33. VENKATESH M
S/O MUTHAIAH
AGED ABOUT 48 YEARS
MEMBERSHIP NO.2063

34. GOWRAMMA
W/O LATE MADEGOWDA
AGED ABOUT 55 YEARS
MEMBERSHIP NO.3874

35. PUTTARAJU M H
S/O HANUMEGOWDA @ HELAVEGOWDA
AGED ABOUT 50 YEARS
MEMBERSHIP NO.1487

36. MOHAMMED AFTAB ASEEM
S/O MOHAMMED ALIMULLA
AGED ABOUT 48 YEARS
MEMBERSHIP NO.3410

37. MARISWAMY
S/O CHANNEGOWDA @ KUMBIRACHEGOWDA
AGED ABOUT 53 YEARS
MEMBERSHIP NO.5827

38. AFRAJ BEGUM
W/O SHAFIULLA SHARIEFF
AGED ABOUT 58 YEARS
MEMBERSHIP NO.1626

39. HIDAYATH ULLA SHARIFF
S/O SATTAR SHARIEFF M A
AGED ABOUT 70 YEARS
MEMBERSHIP NO.4703

40. SUDARSHAN KUMAR M N
S/O LATE NARAYANA M A
AGED ABOUT 53 YEARS
MEMBERSHIP NO.7583

41. HANUMEGOWDA @ ALEGOWDA
S/O CHANNEGOWDA
AGED ABOUT 68 YEARS
MEMBERSHIP NO.2853

42. CHIKKEGOWDA M
S/O MADEGOWDA
AGED ABOUT 51 YEARS
MEMBERSHIP NO.1475

43. CHIKKAHANUMAMMA
W/O MADEGOWDA
AGED ABOUT 62 YEARS
MEMBERSHIP NO.3622

44. REHANA BEGUM
W/O MAKBUL AHAMED
AGED ABOUT 60 YEARS
MEMBERSHIP NO.2108

45. MEER BAHADDUR
S/O DASTHAGIR BEG
AGED ABOUT 70 YEARS
MEMBERSHIP NO.2093

46. MEER AFSAL
S/O MEER BAHADDUR
AGED ABOUT 47 YEARS
MEMBERSHIP NO.2085

47. MUKBUL AHAMED
S/O DASTHAGIR BEG
AGED ABOUT 60 YEARS
MEMBERSHIP NO.2094

48. CHETHANKUMAR L
S/O LINGAIAH
AGED ABOUT 52 YEARS
MEMBERSHIP NO.4564

49. LAKSHMI
W/O SHANKAR B
AGED ABOUT 49 YEARS
MEMBERSHIP NO.4329

50. MALLIKARJUNA
S/O MADAPPACHAR
AGED ABOUT 51 YEARS
MEMBERSHIP NO.2564

51. NANJUNDAPPA N
S/O JOGANANJUNDAIAH
AGED ABOUT 64 YEARS
MEMBERSHIP NO.2636

52. HANUMEGOWDA
S/O KUDIRE HANUMEGOWDA
AGED ABOUT 66 YEARS
MEMBERSHIP NO.1403

53. SIDDALINGEGOWDA @ DODDAGANDU
S/O KUKKEMARIGOWDA
AGED ABOUT 60 YEARS
MEMBERSHIP NO.1433

54. NANJUNDEGOWDA
S/O CHOWDAIAH @ KUNDEGOWDA
AGED ABOUT 62 YEARS
MEMBERSHIP NO.3613

55. MOHAMMED NAYAMATHULLA
S/O MOHAMMED AKBAR
AGED ABOUT 65 YEARS
MEMBERSHIP NO.0725

56. ABRAK AHAMED
S/O ABDUL SATTAR
AGED ABOUT 50 YEARS
MEMBERSHIP NO.2214

57. RAJANNA H S
S/O SIDDAIAH H S
AGED ABOUT 58 YEARS
MEMBERSHIP NO.4465

58. BETTAMMA
W/O LATE CHOWDEGOWDA
AGED ABOUT 66 YEARS
MEMBERSHIP NO.1770

59. UMARANI M
W/O MAHADEVIAH M
AGED ABOUT 55 YEARS
MEMBERSHIP NO.4464

60. ERAMMA
W/O NARASIMHEGOWDA
AGED ABOUT 65 YEARS
MEMBERSHIP NO.0742

61. DESHILINGEGOWDA
S/O MADEGOWDA
AGED ABOUT 51 YEARS
MEMBERSHIP NO.2361

62. CHIKKANARASIMHAIAH @ MOGANNA
S/O CHIKKANARASIMHEGOWDA
AGED ABOUT 63 YEARS
MEMBERSHIP NO.2865

63. CHIKKANANJUNDEGOWDA
S/O JAVANEGOWDA
AGED ABOUT 65 YEARS
MEMBERSHIP NO.2773

64. BOMMEGOWDA M B
S/O DODDAPUTTEGOWDA
AGED ABOUT 68 YEARS
MEMBERSHIP NO.1378

65. SHIVANNA
S/O KALEERAI AH
AGED ABOUT 70 YEARS
MEMBERSHIP NO.0746

66. NANJUNDEGOWDA
S/O CHANNEGOWDA @ NATHEGOWDA
AGED ABOUT 53 YEARS
MEMBERSHIP NO.1835

67. SUBBEGOWDA
S/O KALEGOWDA
AGED ABOUT 56 YEARS
MEMBERSHIP NO.2009

68. KEMPAIAH
S/O URAGEGOWDA
AGED ABOUT 64 YEARS
MEMBERSHIP NO.1737

ALL ARE RESIDENTS OF
MALAVALLI TOWN AND TALUK,
MANDYA DISTRICT.

...PETITIONERS

(BY SRI KANTHARAJU C S, ADV.)

AND

1. THE STATE OF KARNATAKA
BY ITS SECRETARY,
DEPARTMENT OF CO-OPERATION,

VIDHANA SOUDHA,
BENGALURU-560001.

2. THE STATE CO-OPERATIVE
ELECTION COMMISSION
BY ITS COMMISSIONER,
3RD FLOOR, T.T.M.C. 'A' BLOCK,
K H ROAD, SHANTINAGARA,
BANGALORE-560027.

3. REGISTRAR OF CO-OPERATIVE
SOCIETIES IN KARNATAKA,
NO.1,
ALI ASKAR ROAD,
BENGALURU-560001.

4. THE ELECTION OFFICER AND
JOINT REGISTRAR OF
CO-OPERATIVE SOCIETIES
MYSURU REGION,
MYSURU-24.

5. THE RETURNING OFFICER
MALAVALLI TALUK PRIMARY
CO-OPERATIVE AGIRCULTURE AND
RURAL DEVELOPMENT BANK LTD.,
AND CHIEF EXECUTIVE OFFICER,
TALUK PANCHAYATH, MALAVALLI TALUK,
MANDYA DISTRICT-571430.

6. MALAVALLI TALUK PRIMARY
CO-OPERATIVE AGIRCULTURE AND
RURAL DEVELOPMENT BANK LTD.,
MALAVALLI, MALAVALLI TALUK,
MANDYA DISTRICT-571430.
REPRESENTED BY ITS MANAGER.

...RESPONDENTS

(BY SMT. RASHMI PATEL, HCGP FOR R1,R3 TO R5,
SRI G.V.SHASHIKUMAR, ADV. FOR R2.)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DECLARE THAT SECTION 20(2)(a-iv) AND (a-v) THE KARNATAKA CO-OPERATIVE SOCIETIES ACT IS ULTRA VIRES OF THE CONSTITUTION OF INDIA ETC.

THIS WP COMING ON FOR 'ORDERS' THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Heard Shri Kantharaju C.S., learned advocate for the petitioners, Smt. Rashmi Patel, learned HCGP for the State and Shri G.V.Shashi Kumar, learned advocate for respondent No.2.

2. Shri Kantharaju submits that elections have already been conducted. Therefore, this petition is rendered infructuous and accordingly prayed for its dismissal. He undertakes to file a memo to this effect. Once the memo is received, the Registry shall keep the same in the record.

3. In the circumstance, petition is accordingly
dismissed as having become infructuous.

Sd/-
JUDGE

Rsk/-
CT-HR