

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 21<sup>ST</sup> DAY OF FEBRUARY 2012

BEFORE

THE HON'BLE MR. JUSTICE ARAVIND KUMAR

WRIT PETITION NO. 1868/2012(S-KSRTC)

BETWEEN:

Sri. A.N. Ravi  
S/o. late A. Nagendrappa  
Aged about 28 years,  
Karnataka State Road Transport  
Corporation, (Harihar Depot),  
Davanagere Division, Davanagere,  
Residing at  
"Sri. Veerabhadreshwara Nilaya",  
3<sup>rd</sup> Cross, Durgigudi Extension,  
Honnali, Davanagere District.

...PETITIONER

(By Sri. Srikanth Adv., for  
Sri. M.S. Parthasarathi, Adv. for petitioner)

AND:

1. The Managing Director  
And Appointing Authority  
Karnataka State Road Transport  
Corporation, (Central Office),  
Shanthinagar,  
K.H. Road,  
Bangalore

2. The Director  
(Sibbandi and Parisara),  
Karnataka State Road Transport  
Corporation, (Central Office),  
Shanthinagar,  
K.H. Road,

Bangalore

3. The Chief Personnel Manager  
(Appointments),  
Karnataka State Road Transport  
Corporation, (Central Office),  
Shanthinagar,  
K.H. Road,  
Bangalore

4. The State of Karnataka  
By its Secretary to Government  
Primary and Secondary Education,  
M.S. Building,  
Dr. Ambedkar Veedhi,  
Bangalore 560 001.

5. The Deputy Director of Public  
Instructions  
Shimoga District  
Shimoga.

6. The Block Education Officer  
Sagar Taluk,  
Shimoga District.

...RESPONDENTS

(By Sri. Hareesh Bhandary, Advocate accepts notice for  
R-1 to R-3 and  
Sri. Jagadeesh Mundargi, AGA for R-4 to R-6)

THIS WRIT PETITION IS FILED UNDER ARTICLES  
226 & 227 OF THE CONSTITUTION OF INDIA WITH A  
PRAYER TO DIRECT THE RESPONDENTS TO  
CONSIDER THE PETITIONER'S REPLY DATED  
23.10.2011 SUBMITTED ON 24.10.2011 VIDE  
ANNEXURE-J.

THIS PETITION COMING ON FOR PRELIMINARY  
HEARING THIS DAY THE COURT MADE THE  
FOLLOWING:

ORDER

Petitioner is seeking for a direction to the respondents consider petitioner's reply dated 23.10.2011 submitted on 24.10.2011 vide Annexure-J.

2. Heard Sri. Srikanth, learned counsel appearing for petitioner, Sri. Jagadeesh Mundargi, learned Additional Government Advocate appearing for respondents 4 to 6 and Sri. Hareesh Bhandary, learned counsel appearing for respondent Nos. 1 to 3. Perused the records.

3. Petitioner came to be selected as Mechanical Engineer on 12.01.2008 and was issued with appointment order by respondents 1 to 3 on 21.03.2008. A show cause notice came to be issued on 10.10.2011 to the petitioner stating that he had submitted the documents seeking benefit of rural weightage and same was permitted and forwarded to the concerned department and petitioner has been informed that as per the notification dated 03.08.2005, Kargal



Town and Jogfalls are notified and thus it was informed by the Block Education Officer, Sagar Taluk, Shimoga District, that the same is not a rural area and as such it was stated that certificate submitted by the petitioner was returned without verification. In reply to the show cause notice dated 10.10.2011 petitioner has submitted a reply on 23.10.2011 and 24.10.2011 bringing it to the notice of the concerned that the Kargal and Jogfalls were notified only in the year 2005 and petitioner has prosecuted his studies earlier to the said period and as such he is entitled for rural quota. Petitioner has produced the communication dated 14.02.2007 at Annexure-L emanating from the Office of the Principal Education Officer, Department of Education seeking for certain clarification. On an apprehension petitioner has approached this court even before his reply has been considered and an order being passed, contending that in view of the show cause notice having been issued the respondents are likely to hold that the petitioner is not entitled for rural weightage quota. Said apprehension is without any basis and even otherwise petitioner cannot



be allowed to approach this court on the basis of apprehension as stated in the grounds urged in the writ petition. If at all the petitioner is aggrieved by any order that may be passed against him, he would be at liberty to approach this court by challenging the same if so advised and at this juncture this court would not be in a position to examine the contention of the petitioner since there is no basis for said apprehension. Accordingly, writ petition stands rejected.

4. Sri. Jagadish Mundaragi, learned Additional Government Advocate is permitted to file memo of appearance within a period of 4 weeks from today.

Sd/-  
JUDGE

DR