

(2025) 10 KAR CK 1169

In the Karnataka High Court, Dharwad Bench

Case No : Writ Petition No. 108013 Of 2024 (CS-EL/M)

Saranga Lakshmana Mukri & Ors.

APPELLANT

Vs

State Of Karnataka & Ors.

RESPONDENT

Date of Decision : 03-10-2025

Acts Referred:

Karnataka Co-Operative Societies Act, 1959 — Section 70(2)
Karnataka Cooperative Rules, 1960 — Rule 13D

Citation : (2025) 10 KAR CK 1169

Hon'ble Judges : R. Nataraj, J

Bench : Single Bench

Advocate : Sourabh Hegde, Ashok T. Kattimani, Abhilash Hanamannavar

Final Decision : Disposed Of

Judgement

R. Nataraj, J

1. Petitioners are members of the respondent No.6. It is stated that the elections to the Managing Committee of the respondent No.6 was notified which was followed by calendar of events dated 04.12.2024.

2. The petitioners contend that though they were eligible to vote at the elections to the Managing Committee of the respondent No.6, their names were illegally shown in the ineligible voters list. They also contend that the procedure under Rule 13D of the Karnataka Cooperative Rules, 1960 was not complied before including their names in the ineligible voters list. The petitioners are therefore before this Court seeking for a writ in the nature of certiorari to quash the final intelligible voters list issued by the respondent No.5 and to direct the respondents to conduct elections for the term 2025-2030 and for a direction to the respondent No.6 to permit them to cast their vote at the election scheduled on 05.01.2025.

3. This Court, in terms of the interim order dated 31.12.2024, permitted the petitioners to cast their votes, which were ordered to be kept separately and not

to be counted. The results of the election were not announced.

4. Learned counsel for the petitioners contends that a similar issue concerning the respondent No.6 in W.P.Nos.108033/2024 and 108009/2024 was disposed of directing the Returning Officer to announce the results and keeping open the results of the election to be challenged under Section 70(2) of the Karnataka Co-operative Societies Act, 1959 by any aggrieved person. He therefore contends that this Writ Petition may also be disposed of on similar lines.

5. Learned AGA for the official respondents, did not dispute that in respect of the respondent No.6, a Co-ordinate Bench of this Court in W.P.No.108033/2024 has directed the results of the elections to be declared by taking into account the votes cast by the petitioners.

6. In that view of the matter, this Writ Petition also deserves to be disposed of on similar lines. Accordingly, the Writ Petition is disposed of. The respondent No.5 is directed to announce the results within seven days from the date of receipt of a copy of this order by counting the votes cast by the petitioners at the above election held on 05.01.2025. However, the votes cast by the petitioners shall be kept separately. If any person is desirous to challenge the results of the election, they may do so in accordance with law. If such a challenge is made, the eligibility or otherwise of the petitioners will be looked into by the concerned authority.