

(2022) 01 KAR CK 0037

In the Karnataka High Court

Case No : Writ Petition No. 1417 Of 2022 (CS-EL/M)

V.J.K. Bakthavachalam & Others

APPELLANT

Vs

State Of Karnataka & Others

RESPONDENT

Date of Decision : 25-01-2022

Acts Referred:

Citation : (2022) 01 KAR CK 0037

Hon'ble Judges : R. Devdas, J

Bench : Single Bench

Advocate : Jayakumar S Patil, R.Srinivas Gowda, T.L. Kirankumar

Final Decision : Disposed Of

Judgement

R. Devdas, J

1. The grievance of the petitioners is that although voting were scheduled to be held on 27.01.2022 to respondent No.6 - Karnataka Telecom

Department Employees Co-operative Society Ltd., however, in the meanwhile the impugned communication dated 19.01.2022 at Annexure - J was

issued by the Principal Secretary, Department of Co-operation directing the Commissioner, State Co-operative Election Authority to postpone all elections till March, 2022.

2. Learned Additional Government Advocate was directed to secure instructions from the Government as to whether the impugned circular was passed invoking the provisions of the Disaster Management Act.

3. Learned Additional Government Advocate has furnished a communication dated 24.01.2022 made by the Principal Secretary to the learned

Additional Government Advocate. On the basis of the communication, learned Additional Government Advocate submits that the intention of the

Government was to ensure that COVID - 19 protocol regarding maintenance of social distance should be followed and since it was felt that the

protocol could not be followed, the postponement of elections was required. Nevertheless, the learned Additional Government Advocate submits on

instructions, that the election in respect of respondent No.6 - Karnataka Telecom Department Employees Co-operative Society Ltd., which is

scheduled to be held on 27.01.2022, may go on, provided the COVID - 19 protocol is strictly followed.

4. In the light of the above, this writ petition stands disposed of directing respondent No.5 - Returning Officer to go ahead with the voting, which is scheduled to be held on 27.01.2022.

5. However, the Returning Officer shall ensure that appropriate social distancing is maintained while conducting the elections.

Ordered accordingly.

6. The members of respondent No.6 - Karnataka Telecom Department Employees Co-operative Society Ltd., shall also be informed about the orders

passed by this Court and they shall co-operate in maintaining the protocol issued by the State Government.

Learned counsel Sri.T.N.Kiran Kumar is also requested to convey this order to the Returning Officer.

7. In view of disposal of the writ petition, I.A.No.1/2022 does not survive for consideration and is accordingly disposed of.