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Krishnappa M vs the State of Karnataka

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Court : Karnataka

Decided On : Feb-21-2025

Judge : K.S. Hemalekha

Appeal No. : WP/2421/2025

Appellant : Krishnappa M

Respondent : The State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF FEBRUARY, 2025 BEFORE THE HON'BLE MRS JUSTICE K.S. HEMALEKHA WRIT PETITION NO.2421 OF 2025 (CS-EL/M) BETWEEN:

1. KRISHNAPPA M AGED ABOUT 70 YEARS, S/O MUNIBYRAPPA MEMBERSHIP NO. 10

2. SRIRAMAPPA AGED ABOUT 68 YEARS, S/O VENKATAPPA MEMBERSHIP NO. 17

3. T A KRISHNAPPA AGED ABOUT 62 YEARS, S/O ARASAPPA MEMBERSHIP NO. 34

4. VARALAKSHMAMMA

AGED ABOUT 55 YEARS, Digitally signed by S/O CHIKKANNA MAHALAKSHMI B M MEMBERSHIP NO. 58 Location: HIGH COURT OF 5. K BYREGOWDA KARNATAKA AGED ABOUT 53 YEARS, MEMBERSHIP NO. 77

6. SHARADHAMMA AGED ABOUT 48 YEARS, W/O NANJAPPA MEMBERSHIP NO. 220

7. T N MAHESH AGED ABOUT 48 YEARS, S/O P NARAYANAPPA MEMBERSHIP 227 -2-

8. CHIKKABYRE GOWDA, AGED ABOUT40 YEARS, MEMBERSHIP NO. 240

9. T N MANOJ AGED ABOUT 23 YEARS, S/O S NARAYANASWAMY MEMBERSHIP NO. 241

10. BHOOMIKA D/O S NARAYANASWAMY AGED ABOUT 21 YEARS MEMBERSHIP NO.242.

11. VENKATESH GOWDA AGED ABOUT 40 YEARS, S/O SONAPPA MEMBERSHIP NO. 243

12. LOKESH GOWDA AGED ABOUT 35 YEARS, MEMBERSHIP NO. 244

13. CHAITRA AGED ABOUT 30 YEARS, W/O LOKESH GOWDA MEMBERSHIP NO. 245

14. VENKATESH GOWDA AGED ABOUT 30 YEARS. S/O T A KRISHNAPPA MEMBERSHIP NO. 246

15. BHAVYA AGED ABOUT 35 YEARS W/O RAMACHANDRAPP MEMBERSHIP NO. 247

16. LALITHA AGED ABOUT 32 YEARS, W/O B MANJUNATH MEMBERSHIP NO. 248

17. CHOWDAMMA AGED ABOUT 68 YEARS, -3- W/O CHIKKAMUNIYAPPA MEMBERSHIP NO. 250

18. LAKSHMAMMA, AGED ABOUT 70 YEARS. S/O BYRAPPA, MEMBERSHIP NO. 251

19. HEMANTH HANUME GOWDA, AGED ABOUT 22 YEARS S/O T B KRISHNAPPA, MEMBERSHIP NO. 252

20. KUSHAL GOWDA, AGED ABOUT 20 YEARS S/O B VENKATESHAPPA, MEMBERSHIP NO 253

21. KOMALA, W/O T N MAHESH, MEMBERSHIP NO.256

22. SEEMANNA, AGED ABOUT 62 YEARS S/O SONNAPPA, MEMBERSHIP NO. 258

23. RATHNAMMA, AGED ABOUT 55 YEARS W/O SEEMANNA, MEMBERSHIP NO. 259

24. MURALI S/O SEEMANNA MEMBERSHIP NO.260

25. VIJAYKUMAR AGED ABOUT 28 YEARS S/O CHIKKANNA MEMBERSHIP NO. 261

26. SOUMYA AGED ABOUT 30 YEARS W/O VENKATESH MEMBERSHIP NO. 264 -4-

27. MUNESH S/O VENKATARAMANASHETTY MEMBERSHIP NO. 273

28. ANJALI S/O T V MUNIRAJU MEMBERSHIP NO. 275

29. KAVYA AGED ABOUT 25 YEARS W/O MUNESH MEMBERSHIP NO. 276

30. MANJUNATH AGED ABOUT 30 YEARS S/O VENKATARAMANASHETTY MEMBERSHIP NO.277

31. MUNITHAYAMMA AGED ABOUT 68 YEARS W/O P NARAYANAPPA MEMBERSHIP NO. 89

32. RAMAKKA AGED ABOUT 72 YEARS W/O SONNAPPA MEMBERSHIP NO. 156

33. NIRMALA AGED ABOUT 51 YEARS W/O S NARAYANASWAMY MEMBERSHIP NO. 159

34. JAYALAKSHMAMMA AGED ABOUT 56 YEARS W/O NARAYANASWAMY MEMBERSHIP NO. 198

35. SUMA AGED ABOUT 36 YEARS W/O CHIKKANARAYANASWAMY MEMBERSHIP NO. 199 -5-

36. KAVITHA AGED ABOUT 36 YEARS W/O T B KRISHNAPPA MEMBERSHIP NO. 200

37. K VARADAHARAJ AGED ABOUT 46 YEARS MEMBERSHIP NO. 201

38. B RAMACHANDRAPPA AGED ABOUT 53 YEARS MEMBERSHIP NO. 203

39. B MANJUNATH AGED ABOUT 48 YEARS MEMBERSHIP NO. 204

40. VENKATALAKSHMAMMA AGED ABOUT 60 YEARS W/O T A KRISHNAPPA MEMBERSHIP NO. 206

41. T V MUNIRARJU AGED ABOUT 54 YEARS S/O VENKATARAMANASHETTY MEMBERSHIP NO. 262

42. SUSHMA AGED ABOUT 30 YEARS W/O K VARADHARAJU MEMBERSHIP NO. 264

43. LAVANYA AGED ABOUT 28 YEARS S/O K DEVARAJU MEMBERSHIP NO. 265.

44. SUJATHAMMA AGED ABOUT 46 YEARS W/O M NARAYANASWAMY MEMBERSHIP NO. 254

45. RAJAMMA AGED ABOUT 56 YEARS -6- W/O T N MUNIRAJU MEMBERSHIP NO. 13

46. HANUMAPPA AGED ABOUT 68 YEARS S/O VENKATASWAMAPPA MEMBERSHIP NO. 27

47. MUNIYAPPA AGED ABOUT 62 YEARS S/O MUNIYAPPA MEMBERSHIP NO. 43

48. B NARAYANASWAMY AGED ABOUT 54 YEARS MEMBERSHIP NO. 47

49. MUNISWAMY GOWDA AGED ABOUT 59 YEARS MEMBERSHIP NO. 3

50. SEETHAMMA AGED ABOUT 65 YEARS W/O CHINNAPPA MEMBERSHIP NO. 61

51. T M HARISH S/O MUNIRAJU MEMBERSHIP NO.263.

52. B NARAYANASWAMY AGED ABOUT 55 YEARS MEMBERSHIP NO.53 ALL ARE MEMBERS OF THIMMANAYAKANAHALLI MILK PRODUCERS CO-OPERATIVE SOCIETY LTD. MALURU TALUK-563130 KOLAR DISTRICT. PETITIONERS (BY SMT. MANJULA C., ADVOCATE FOR SRI JAI PRAKASH REDDY M., ADVOCATE) -7- AND:

1. THE STATE OF KARNATAKA BY ITS SECRETARY, DEPARTMENT OF CO-OPERATION, M S BUILDING, BANGALORE-560 001.

2. THE CO-OPERATIVE ELECTION AUTHORITY 3RD FLOOR, SHANTHINAGAR TTMC 'A' BLOCK, K H ROAD, SHANTHINAGAR, BENGALURU-560 027 BY ITS COMMISSIONER.

3. THE RETURNING OFFICER THIMMANAYAKANAHALLI MILK PRODUCERS CO-OPERATIVE SOCIETY LTD. MALURU TALUK-563130 KOLAR DISTRICT.

4. THIMMANAYAKANAHALLI

MILK PRODUCERS CO-OPERATIVE SOCIETY LTD. MALURU TALUK-563130 KOLAR DISTRICT BY ITS CHIEF EXECUTIVE OFFICER REGISTERED UNDER THE KARNATAKA CO-OPERATIVE SOCIETIES ACT 1959. RESPONDENTS (BY SRI YOGESH D. NAIK, AGA FOR R-1, R-3, R-4 & R-6; SR T.L. KRAN KUMAR, ADVOCATE FOR R-2) THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE RESPONDENTS TO CONDUCT THE ELECTIONS TO THE R-4 SOCIETY BY INCLUDING THE NAME OF THE PETITIONERS IN THE ELIGIBLE VOTERS LIST OF R-4 SOCIETY AS PER CALENDAR OF EVENTS DTD. 17.01.2025 VIDE ANNEXURE-B ISSUED BY R-3. THIS WRIT PETITION COMING ON FOR ORDERS, THIS DAY,

ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MRS JUSTICE K.S. HEMALEKHA -8-

ORAL ORDER

Learned counsel for the petitioners submits that the petition has been rendered infructuous, as the election, which was scheduled for 05.02.2025, is not held, and to that effect, memo is filed, which reads as under: In the above petition, the election to the respondent No.4 society was fixed on 5/2/2025. That on was

postponed. In view of the same the above petition has become infructuous. Hence, the above petition may kindly be dismissed as having become infructuous in the interest of justice.

2. The memo is taken on record.

3. Accordingly, the writ petition is dismissed as having become infructuous. Sd/- _____ JUSTICE K.S. HEMALEKHA MBM List No.: 2 Sl No.: 2

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