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Shivanna vs the State of Karnataka

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Court : Karnataka Orders

Decided On : Mar-27-2025

Judge : Suraj Govindaraj

Appeal No. : WP/3649/2024

Appellant : Shivanna

Respondent : The State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF MARCH, 2025 BEFORE THE HON'BLE MR JUSTICE SURAJ GOVINDARAJ WRIT PETITION NO. 3649 OF 2024 (CS-EL/M) BETWEEN:

1. SHIVANNA

2. RAMAYYA P.L. AGED ABOUT 38 YEARS,

3. PUTTASWAMY AGED ABOUT 47 YEARS,

4. NAGENDRASWAMY S/O CHIKKANNA,

5. JAYALAKSHAMMA W/O BHIMAYYA, Digitally signed by SHWETHA AGED ABOUT 59 YEARS, RAGHAVENDRA Location: HIGH 6. TRIVENI COURT OF KARNATAKA W/O LOKESH, AGED ABOUT 35 YEARS,

7. NAGANNA S/O KALEGAARA,

8. NAGARAAJU R S/O RAMANNA,

9. JAGADEESH S/O CHANNAPPA, AGED ABOUT 35 YEARS, -2-

10. PUTTASWAMAYYA S/O RAMANNA,

11. NANJUNDESH N S/O NAGANNA, AGED ABOUT 33 YEARS,

12. SOWBHAGYAMMA W/O CHIKKANNA, AGED ABOUT 52 YEARS,

13. RATNAMMA W/O SHIVARAJU,

14. JAYAMMA W/O CHOLORAYYA, AGED ABOUT 50 YEARS,

15. CHALUVAMMA W/O CHALUVAYYA, AGED ABOUT 56 YEARS,

16. SANTHOSHA R S/O RAMACHANDRA,

17. CHANDRASHEKARA K S/O KAVERI REDDY,

18. JAYAMMA K W/O KALAPPA, AGED ABOUT 44 YEARS,

19. CHANDRAMMA W/O KRISHNAPPA, AGED ABOUT 41 YEARS,

20. PRAKASH A.B. S/O BHIMAYYA,

21. KEMPANNA S/O OJAYYA, AGED ABOUT 56 YEARS, -3-

22. GOVINDA D.N. S/O NANJANNA, AGED ABOUT 36 YEARS,

23. REVANNA S/O SANNA BHIMAYYA,

24. CHANNAMMA W/O SIDDAPPA, AGED ABOUT 48 YEARS,

25. SATHISH GOWDA M S/O MAHALINGASWAMY, AGED ABOUT 32 YEARS,

26. MUTTARAJU A.P. S/O PUTTASWAMAYYA, AGED ABOUT 33 YEARS,

27. MANJUNATHA S/O CHIKKABHAIRAYYA,

28. KRISHNAPPA S/O SHIVANNA, AGED ABOUT 47 YEARS,

29. CHIKKA BHAIRAYYA S/O LINGAPPA,

30. CHANNAMMA W/O CHALUVAYYA, AGED ABOUT 48 YEARS,

31. DODDA TAYAMMA W/O PUTTASWAMAYYA, AGED ABOUT 50 YEARS, ALL ARE RESIDING AT ANNAHALLI VILLAGE, M.G.PALYA POST, KHILANCHA HOBLI, RAMANAGARA TALUK-562109. PETITIONERS (BY SRI. CHANDRAKANTH R. PATEL.,ADVOCATE) -4-
AND:

1. THE STATE OF KARNATAKA DEPARTMENT OF CO-OPERATION, M.S.BUILDING, DR.B.R. AMBEDKAR VEEDHI, BENGALURU-01 BY ITS PRINCIPAL SECRETARY.

2. THE STATE CO OPERATIVE ELECTION COMMISSION 3RD FLOOR, SHANTHI NAGAR, T.T.M.C. A BLOCK, SHANTHI NAGAR, BANGALORE-27 REPRESENTED BY ITS SECRETARY.

3. DEPUTY REGISTRAR OF CO OPERATIVE SOCIETIES DISTRICT ELECTION OFFICER, RAMANAGARA,

4. ASSISTANT REGISTRAR OF CO OPERATIVE SOCIETIES RAMANAGARA,

5. RETURNING OFFICER ANNAHALLI MILK PRODUCERS CO-OPERATIVE SOCIETIES LTD., ANNAHALLI, RAMANAGARA-562109

6. ADMINISTRATOR /SPECIAL OFFICER ANNAHALLI MILK PRODUCERS CO-OPERATIVE SOCIETIES LTD., ANNAHALLI, RAMANAGARA,

7. ANNAHALLI MILK PRODUCERS CO OPERATIVE SOCIETIES LTD., ANNAHALLI, RAMANAGARA, RAMANAGARA-562109 REPRESENTED BY ITS SECRETARY. REG UNDER CO-OPERATIVE SOCIETIES ACT. RESPONDENTS

(BY SRI. YOGESH D.NAIK., AGA FOR R1, R3 TO R6; SRI. T.L. KIRAN KUMAR., ADVOCATE FOR R2; SRI. GIRISH KUMAR., ADVOCATE FOR R7) -5- THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT OR DIRECTION DIRECTING THE R2 TO 7 TO CONDUCT THE ELECTIONS TO THE R5 MILK SOCIETY IN ACCORDANCE WITH LAW AND ETC. THIS WRIT PETITION, COMING ON FOR PRELIMINARY HEARING IN B GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER: CORAM: HON'BLE MR JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioners are before this Court seeking for the following reliefs:

i. To issue a writ of Mandamus or any other appropriate writ or direction, directing the R2 to R7 to conduct the elections to the R5 Milk Society in accordance with law.

ii. Issue a writ of mandamus or any other appropriate writ or direction, directing the respondents to conduct the elections to the respondent No.5 Milk society for the term 2024-29 by giving voting rights to the petitioners and include the name of the petitioners/members declared as eligible voters list of R7 Milk Society vide Annexure-E.

iii. Pass such other orders as may be appropriate in the facts and circumstances of the case, in the ends of justice and equity.

2. A memo dated 27.3.2025 has been filed and singed by the learned counsel for the petitioner, which reads as under; -6- Memo for withdrawal

> The petitioners above named respectfully submit that the election to the managing committee of the Respondent No.7 society is already over. Hence, the above writ petition become infructuous. In view of the same, the petitioners respectfully pray that this Honble Court may please be permitted them to withdraw the above writ petition in the interest of justice and equity.

3. Accepting the said memo and submission of the learned counsel for the petitioner, the petition is dismissed as withdrawn. SD/- (SURAJ GOVINDARAJ) JUDGE SR List No.: 1 Sl No.: 56

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