

**S Lingesh Kumar vs the State of Karnataka**

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**SooperKanoon Citation :** [sooperkanoon.com/1765426](https://sooperkanoon.com/1765426)

**Court :** Karnataka Orders

**Decided On :** Feb-03-2025

**Judge :** K.S. Hemalekha

**Appeal No. :** WP/26787/2024

**Appellant :** S Lingesh Kumar

**Respondent :** The State of Karnataka

**Judgement :**

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF FEBRUARY, 2025 BEFORE THE  
HON'BLE MRS JUSTICE K.S. HEMALEKHA WRIT PETITION NO.26787  
OF 2024 (CS-RES) BETWEEN:

1. S LINGESH KUMAR

S/O B.C SHIVAMALLIKARJUNA, AGED ABOUT 55 YEARS,  
PRESIDENT, BYRASHETTIHALLI MILK PRODUCERS R/AT  
BYRASHETTIHALLI VILLAGE, VIRUOAKSHIPURA HOBLI,  
CHENNAPATNA TALUK, RAMANAGARA DISTRICT, 562 138.

2. V.S SUJEEVAN KUMAR S/O LATE A SOMALINGAIAH, AGED ABOUT 53 YEARS PRESIDENT ARALOUSANDRA MILK PRODUCERS R/AT ARALOUSANDRA VILLAGE AND POST CHENNAPATNA TALUK  
Digitally signed by

MAHALAKSHMI B M

RAMANAGARA DISTRICT 562 138.Location

KARNATAKA AND:

1. THE STATE OF KARNATAKA REPRESENTED BY ITS PRINCIPAL SECRETARY, COOPERATION DEPTT., M.S.BUILDINGS, BANGALORE-1.

2. THE STATE CO-OPERATIVE ELECTION AUTHORITY, 3RD FLOOR, SHANTHI NAGAR, T.T.M.C. 'A' BLOCK, SHANTHI NAGAR, BANGALORE - 27. -2-

3. THE BANGALORE CO-OPERATIVE MILK PRODUCERS' SOCIETIES UNION LTD., (BENGALURU SAHAKARA HAALU OKKUTA NI) DR. M.H. MARIGOWDA ROAD, BANGALORE-560 026, REPRESENTED BY ITS MANAGING DIRECTOR.

4. THE REGISTRAR OF CO-OPERATIVE SOCIETY NO.1 ALI ASKAR ROAD, BANGALORE-51.

5. JOINT REGISTRAR OF COOPERATIVE SOCIETY, BANGALORE DIVISION SAHAKARA BAVAN, MALLESHWARAM BANGALORE-18.

6. THE MANAGING DIRECTOR BENGALURU MILK UNION (BAMUL), BANGALORE-29.

7. CHIEF EXECUTIVE OFFICER

BALUL KALYANA TRUST (R), BANGALORE-43 RESPONDENTS (BY SRI. SIDHARTH BABU RAO, AGA FOR R1, 4 AND R5; SRI. B. L. SANJEEV, ADVOCATE FOR R3 AND R7) THIS W.P IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING

TO DIRECTING THE RESPONDENTS HEREIN TO CONSIDER THE REPRESENTATION OF THE PETITIONER VIDE ANNEXURE-A1 TO A4 AND ANNEXURE-B FOR APPOINTMENT OF ADMINISTRATOR TO THE R3 SOCIETY/UNION AND ETC. THIS PETITION, COMING ON FOR ORDERS, THIS DAY,

**ORDER WAS MADE THEREIN AS UNDER:**

CORAM: HON'BLE MRS JUSTICE K.S. HEMALEKHA -3-

**ORAL ORDER**

1. The petitioners are seeking writ of mandamus, directing the respondents to consider the petitioners' representation, which calls for the appointment of an administrator of respondent No.3-Society.

2. Learned counsel for the petitioners submits that

the Managing Committee of respondent No. 3-Society continued to operate temporarily vide notification/circular issued by the Government of Karnataka, extending the term of the Managing Committee in light of the ensuing Lok Sabha General elections. The notification of the Government not being in force after the completion of the Lok Sabha General Elections, the Board of the Management ought to have conducted the election.

3. The term of the Board of Management

Committee having come to an end, no arrangement being made by the Board to conduct the elections, in view of the provision of Section 28B read with Section 31 of the -4- Karnataka Co-Operative Societies Act, 1959 (the Act for short), respondent No.4-Registrar of Co-Operative Societies is directed to consider the representation of the petitioners at Annexures-A1 to A4 and B for the appointment of an administrator to respondent No.3- Union, in accordance with law, within a period of two weeks from the date of receipt of this order. With the said observation, the writ petition stands disposed of. Sd/- \_\_\_\_\_

JUSTICE K.S. HEMALEKHA AT List No.: 1 Sl No.: 1

