

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF OCTOBER, 2018



PRESENT

HON'BLE MR.JUSTICE DINESH MAHESHWARI, CHIEF JUSTICE

AND

HON'BLE MR.JUSTICE KRISHNA S. DIXIT

W.A.Nos.844/2018 & 853/2018 (LB-RES)

C/W

W.A.Nos.855-856/2018 (LB-RES), W.A.Nos.864/2018 & 871/2018 (LB-RES),
W.A.No.866/2018 (LB-ELE), W.A.Nos.867/2018 & 873/2018 (LB-RES),
W.A.No.868/2018 (LB-RES), W.A. Nos.872/2018 & 911/2018 (LB-RES),
W.A.No.875/2018 (LB-RES), W.A.No.876/2018 (LB-RES),
W.A.No.877/2018 (LB-RES), W.A.No.879/2018 (LB-ELE),
W.A.No.880/2018 (LB-ELE), W.A.No.887/2018 (LB-RES),
W.A.No.888/2018(LB-RES), W.A.Nos.897/2018 & 942/2018 (LB-RES),
W.A.No.900/2018(LB-RES), W.A.No.901/2018 (LB-RES),
W.A.No.909/2018 (LB-RES), W.A.No.913/2018 (LB-ELE),
W.A.Nos. 914/2018 & 929/2018 (LB-RES), W.A.No.915/2018 (LB-ELE),
W.A.No.916/2018(LB-RES), W.A.No.917/2018 (LB-ELE),
W.A.No.919/2018 (LB-ELE), W.A.No.925/2018 (LB-ELE),
W.A.No.926/2018 (LB-RES), W.A.No.928/2018 (LB-ELE),
W.A.No.930/2018 (LB-ELE), W.A.No.932/2018 (LB-RES),
W.A. No. 933/2018 (LB-RES), W.A.No. 940/2018 (LB-RES),
W.A.No.941/2018 (LB-RES), W.A.No.944/2018 (LB-RES),
W.A. Nos. 950/2018 & 994/2018 (LB-RES), W.A. No.951/2018 (LB-RES),
W.A. No.957/2018 (LB-RES), W.A. No. 960/2018 (LB-RES),
W.A. No.961/2018 (LB-RES), W.A. No.979/2018 (LB-RES),
W.A. No.982/2018 (LB-RES), W.A. No.989/2018 (LB-RES),
W.A. No.990/2018 (LB-RES), W.A. No.993/2018 (LB-RES),
W.A. No.1003/2018 (LB-ELE), W.A. No.1010/2018 (LB-RES),
W.A. No.1014/2018 (LB-RES), W.A. No.1015/2018 (LB-ELE),
W.A. No.1016/2018 (LB-ELE), W.A. No.1060/2018 (LB-RES),
W.A. Nos.1062-1063/2018(LB-ELE), W.A.No.1064/2018(LB-ELE),
W.A.No.1065/2018 (LB-RES), W.A. No.1073/2018 (LB-ELE),
W.A.No.1076/2018 (LB-RES), W.A. No.1080/2018 (LB-ELE),
W.A. No.1253/2018 (LB-RES), W.A. Nos.1282-1283/2018 (LB-ELE),
W.A. No.899/2018 (LB-RES), W.A. No.1082/2018 (LB-RES)
W.A. No.1224/2018 (LB-ELE), W.A. No.1254/2018 (LB-RES),
W.A. No.1270/2018 (LB-ELE)

IN W.A. NOs. 844/2018 & 853/2018

BETWEEN

SMT. LAKSHMAMMA
W/O DEVARAJA BHOVI
AGED ABOUT 42 YEARS
R/A MOOKANAHALLI VILLAGE
KASABA HOBLI
HUNSUR TALUK
MYSORE DIST-571105

... APPELLANT

(BY SRI PRAKASH M.H., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REP. BY THE PRINCIPAL SECRETARY
DEPARTMENT OF PANCHAYATH RAJ
M. S. BUILDING, AMBEDKAR STREET
BANGALORE-560 001
2. THE ASSISTANT COMMISSIONER
HUNSUR REVENUE SUB-DIVISION
HUNSUR THALUK
MYSORE DIST-571105
3. MUKANAHALLI GRAM PANCHAYATH
HUNSUR THALUK
REP. BY THE PANCHAYATH DEVELOPMENT OFFICER
HUNSUR THALUK,
MYSORE DIST-571105
4. SMT. ROOPA
AGE MAJOR
MEMBER, MUKANAHALLI GRAM PANCHAYATH
HUNASUR TALUK,
MYSORE DIST-571105
5. SRI MAHADEVA
AGE MAJOR

MEMBER, MUKANAHALLI GRAMA PANCHAYATH
HUNASUR TALUK
MYSORE DIST-571105

6. SMT. MANI
AGE MAJOR
MEMBER, MUKANAHALLI GRAM PANCHAYATH
HUNASUR TALUK
MYSORE DIST-571105
7. SRI MADEVA
AGE MAJOR
MEMBER, MUKANAHALLI GRAM PANCHAYATH
HUNASUR TALUK
MYSORE DIST-571105
8. SMT. MAHADEVI S
AGE MAJOR
MEMBER, MUKANAHALLI GRAM PANCHAYATH
HUNASUR TALUK,
MYSORE DIST-571105
9. SMT. KUSUMA
AGE MAJOR
MEMBER, MUKANAHALLI GRAM PANCHAYATH
HUNASUR TALUK
MYSORE DIST-571105
10. SRI PAPA BHOVI
AGE MAJOR
MEMBER, MUKANAHALLI GRAM PANCHAYATH
HUNASUR TALUK
MYSORE DIST-571105
11. SRI KUMAR
AGE MAJOR
MEMBER, MUKANAHALLI GRAM PANCHAYATH
HUNASUR TALUK,
MYSORE DIST-571105

12. SRI SURESH
AGE MAJOR
MEMBER, MUKANAHALLI GRAM PANCHAYATH
HUNASUR TALUK
MYSORE DIST-571105

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI H.VENKATESH DODDERI, AGA FOR R1 & R2,
SRI B.J. SOMAYAJI, ADVOCATE FOR R-3,
R4, R8, R10 & R11 ARE SERVED, SERVICE OF NOTICE TO
R5 – R7, R9 & R12 ARE DISPENSED WITH V/O DATED 05.06.2018)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO ALLOW THE APPEAL BY SETTING
ASIDE THE ORDER DATED 28/2/2018 PASSED BY THE LEARNED
SINGLE JUDGE IN THE WRIT PETITION NO.6577/2018 AND 7896/2018
[LB-RES].

IN W.A. NOs. 855-856/2018

BETWEEN

1. MAHESH K.H.
S/O HUCHAPPA
AGE 38 YEARS
ADHYAKSHA, TALAGUPPA GRAMA PANCHAYAT
R/O MADIVALA KERI, TALGUPPA
SAGAR TALUK
SHIVAMOGGA DISTRICT-577 430
2. SMT.SUJATHA M
W/O MANJAPPA
AGE 49 YEARS
UPADHYAKSHA, TALAGUPPA GRAMA PANCHAYAT
R/O RANGANATHA COLONY, TALGUPPA
SAGAR TALUK, SHIVAMOGGA DISTRICT-577 430

... APPELLANTS

(BY SRI MAHESH R. UPPIN, ADVOCATE)

AND

1. STATE OF KARNATAKA
BY ITS SECRETARY TO THE DEPARTMENT OF
RURAL DEVELOPMENT & PANCHAYAT RAJ
M.S.BUILDING, BANGALORE-560 001.
2. ASSISTANT COMMISSIONER
SAGAR SUB-DIVISION, SAGAR-577 401
3. TALAGUPPA GRAMA PANCHAYAT
TALAGUPPA, SAGAR TALUK
SHIVAMOGGA DISTRICT-577 430
BY ITS PANCHAYAT DEVELOPMENT OFFICER

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI H.VENKATESH DODDERI AGA FOR R1 & 2 AND
SRI M.PRADEEP, ADVOCATE FOR R3)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED
28/2/2018 PASSED BY THE LEARNED SINGLE JUDGE IN SO FOR AS
IT PERTAINS TO WP 5644-45/2018 [LB-RES] AND ALLOW THIS WRIT
APPEAL.

IN W.A. NOs. 864/2018 & 871/2018

BETWEEN

SRI H.C. SWAMY GOWDA
S/O LATE CHIKKE GOWDA
AGED 45 YEARS
R/A HALLADAKOPLU VILLAGE
BILIKERE HOBLI
HUNASURU TALUK
MYSORE DIST-571 105

... APPELLANT

(BY SRI PRAKASH M.H., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REP. BY THE PRINCIPAL SECRETARY
DEPARTMENT OF PANCHAYATH RAJ
M.S. BUILDING, AMBEDKAR STREET
BANGALORE-560 001
2. THE ASSISTANT COMMISSIONER
HUNSURU REVENUE SUB DIVISION
HUNSUR TALUK
MYSORE DIST-571 105
3. DHARMAPURA GRAM PANCHAYATH
HUNSUR TALUK
REP. BY, THE PANCHAYATH DEVELOPMENT OFFICER
HUNSUR TALUK
MYSORE DIST-571105
4. SRI GOVINDARAJU
AGE:MAJOR
MEMBER, DHARMAPURA GRAM PANCHAYATH
HUNSUR TALUK
MYSORE DIST-571105
5. SMT SHARADAMMA
AGE:MAJOR
MEMBER, DHARMAPURA GRAM PANCHAYATH
HUNSUR TALUK
MYSORE DIST-571105
6. SMT BHAGYA
AGE:MAJOR
MEMBER, DHARMAPURA GRAM PANCHAYATH
HUNSUR TALUK
MYSORE DIST-571105
7. SMT. SAKAMMA
AGE:MAJOR
MEMBER, DHARMAPURA GRAM PANCHAYATH

HUNSUR TALUK
MYSORE DIST-571105

8. SRI RAJU
AGE:MAJOR
MEMBER, DHARMAPURA GRAM PANCHAYATH
HUNSUR TALUK
MYSORE DIST-571105
9. SMT. KEMPAMMA
AGE:MAJOR
MEMBER, DHARMAPURA GRAM PANCHAYATH
HUNSUR TALUK
MYSORE DIST-571105
10. SMT. GAVI SWAMY
AGE:MAJOR
MEMBER, DHARMAPURA GRAM PANCHAYATH
HUNSUR TALUK
MYSORE DIST-571105
11. SRI MANJUNATH B
AGE:MAJOR
MEMBER, DHARMAPURA GRAM PANCHAYATH
HUNSUR TALUK
MYSORE DIST-571105
12. SRI DEVEGOWDA
AGE:MAJOR
MEMBER, DHARMAPURA GRAM PANCHAYATH
HUNSUR TALUK
MYSORE DIST-571105
13. SMT. SUMITRA
AGE:MAJOR
MEMBER, DHARMAPURA GRAM PANCHAYATH
HUNSUR TALUK
MYSORE DIST-571105
14. SMT VEENA D.M
AGE:MAJOR

MEMBER, DHARMAPURA GRAM PANCHAYATH
HUNSUR TALUK
MYSORE DIST-571105

15. SRI SUNDAR RAJU S
AGE:MAJOR
MEMBER, DHARMAPURA GRAM PANCHAYATH
HUNSUR TALUK
MYSORE DIST-571105

... RESPONDENTS

(BY SRI.A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI.H.VENKATESH DODDERI, AGA FOR R1 & R2
SRI.B.J.SOMAYAJI, ADVOCATE FOR R3, R5, R7, R8,
R9, R-14, SERVED WITH NOTICE R4, R6, R10, R11, R12,
R13 & R15 SERVICE OF NOTICE DISPENSED WITH VIDE ORDER
05.06.2018)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO ALLOW THE APPEAL BY SETTING
ASIDE THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED
SINGLE JUDGE IN WP NO.6576/2018 & WP 7908/2018 [LB-RES].

IN W.A. NO. 866/2018

BETWEEN

SRI CHANDRA NAIKA
S/O JAMLA NAIKA
AGED ABOUT 43 YEARS
R/O GANJIGUNTE LAMBANIHATTI VILLAGE
HIEMADURE POST,
CHITRADURGA DISTRICT-577 501

... APPELLANT

(BY SRI SIDDAPPA B.M., ADVOCATE)

AND

1. THE ASSISTANT COMMISSIONER
CHITRADURGA SUB-DIVISION,
CHITRADURGA -577 501

2. SOMAGUDDI GRAMAPANCHAYATH
SOMAGUDDI, CHALLAKERE TALUK-577 522
CHITRADURGA DISTRICT
REPRESENTED BY ITS
THE PANCHAYATH DEVELOPMENT OFFICER.

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI H.VENKATESH DODDERI, AGA FOR R1 &
SRI M.PRADEEP, ADVOCATE FOR R2)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE ORDER PASSED BY THE
LEARNED SINGLE JUDGE IN WP 3161/2018 DATED 28/2/2018 AND
FURTHER BE PLEASED OF ALLOW THE WRIT PETITION BY
ALLOWING THIS APPEAL.

IN W.A. NOs. 867/2018 & 873/2018

BETWEEN

1. SMT. MANJULA
W/O NARASIMAHA MURTHY
AGED ABOUT 36 YEARS
LOHITH NAGAR
BASAVANAHALLI VILLAGE
KASABA HOBLI
NELAMANGALA POST & TALUK
BANGALORE RURAL DISTRICT
2. SRI NARASIMAHA MURTHY
S/O NARASA ANJANAYAPPA
AGED ABOUT 49 YEARS
BASAVANAHALLI VILLAGE
KASABA HOBLI
NELAMANGALA POST & TALUK
BANGALORE RURAL DISTRICT

... APPELLANTS

(BY SRI CHANDRAKANTH R. PATEL, ADVOCATE)

AND

1. STATE OF KARNATAKA
DEPARTMENT OF PANCHAYAT RAJ
AND RURAL DEVELOPMENT
BY ITS SECRETARY
VIDHANA SOUDHA
BANGALORE-560 001
2. THE ASSISTANT COMMISSIONER
BANGALORE RURAL DISTRICT
BANGALORE
3. BASAVANAHALLI GRAMA PANCHAYAT
BASAVANAHALLI
NELAMANGALA TALUK
BANGALORE RURAL DISTRICT
BY ITS SECRETARY

... RESPONDENTS

(BY SRI A.S.PONNANNA ADDITIONAL ADVOCATE GENERAL A/W
SRI H.VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI M.PRADEEP, ADVOCATE FOR R3)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO ALLOW THE APPEAL, BY SETTING
ASIDE THE ORDER DATED 28/02/2018 IN WRIT PETITION NOS.1935-
1936/2018 BY THE LEARNED SINGLE JUDGE AND GRANT THE
PRAYERS AS PRAYED FOR IN THE WRIT PETITION NOS.1935-
1936/2018.

IN W.A. NO. 868/2018

BETWEEN

SMT. GANGAMMA
W/O.SANNABORAPPA
AGED ABOUT 50 YEARS
R/AT NAGARAMGERE
NAGARAMGERE POST

CHALLAKERE TALUK
CHITRADURGA DISTRICT-577522

... APPELLANT

(BY SRI MAHAMAD TAHIR A., ADVOCATE)

AND

1. STATE OF KARNATAKA
DEPARTMENT OF PANCHAYAT RAJ
AND RURAL DEVELOPMENT
VIDHANA SOUDHA
BANGALORE-560 001
BY ITS PRINCIPAL SECRETARY
2. THE ASSISTANT COMMISSIONER
CHITRADURGA SUB-DIVISION
CHITRADURGA-577 509
3. NAGARMGERE GRAMA PANCHAYAT
NAGARMGERE
BY ITS SECRETARY
NAGARMGERE POST
CHALLAKERE TALUK
CHITRADURGA DISTRICT-577 522

... RESPONDENTS

(By SRI A.S.PONNANNA ADDITIONAL ADVOCATE GENERAL A/W
SRI H.VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI M.PRADEEP, ADVOCATE FOR R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO ALLOW THIS APPEAL, BY SETTING ASIDE THE ORDER DATED 28/02/2018 IN WRIT PETITION NO.4504/2018 BY THE LEARNED SINGLE JUDGE AND GRANT THE PRAYERS AS PRAYED FOR IN THE WRIT PETITION NO.4504/2018.

IN W.A. NOs. 872/2018 & 911/2018

BETWEEN

1. B. N. JAGADISH
S/O. NAGARAJMURTHY
AGED ABOUT 29 YEARS
R/AT BENAKANAHALLI VILLAGE AND POST
SOSALE HOBLI
T. NARASIPURA TALUK
MYSORE DISTRICT-571 124
(PRESIDENT
BENAKANAHALLI GRAM PANCHAYATH)
2. SMT. BHAGYALAKSHMI
W/O. NARAYANA
AGED ABOUT 38 YEARS
R/AT KOLEMALLANAHUNDI
SOSALE HOBLI
T. NARASIPURA TALUK
MYSORE DISTRICT-571 124
(VICE PRESIDENT
BENAKANAHALLI GRAM PANCHAYATH)

... APPELLANTS

(BY SRI SANGAMESH R.B., ADVCOATE)

AND

1. STATE OF KARNATAKA
BY ITS SECRETARY
DEPARTMENT OF RURAL DEVELOPMENT AND
PANCHAYATH RAJ
M.S. BUILDING
BANGALORE-560 001
2. THE ASSISTANT COMMISSIONER
MYSURU SUB DIVISION
OFFICE OF THE DEPUTY COMMISSIONER
MYSURU DISTRICT
MYSURU-571 124

3. BENAKANAHALLI GRAM PANCHAYATH
SOSALE HOBLI
T. NARASIPURA TALUK
MYSORE DISTRICT-571 124
BY ITS SECRETARY

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI H.VENKATESH DODDERI, AGA FOR R1 & 2 AND
R3 SERVED WITH NOTICE)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO ALLOW THE APPEAL & SET ASIDE
THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED SINGLE
JUDGE IN WP NOS.6501-02/2018.

IN W.A. NO. 875/2018

BETWEEN

SRI SANNANINGE GOWDA N
S/O NINGE GOWDA
AGED ABOUT 55 YEARS
ADYAKSHA, ARALAKUPPE GRAMA PANCHAYATH
PANDAVAPURA-571427
RESIDENT OF SEETHAPURA VILLAGE
ARALAKUPPE POST-571427
PANDAVAPURA TALUK
MANDYA DISTRICT

... APPELLANT

(BY SRI BHADRINATH R., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
PANCHAYATH RAJ DEPARTMENT
M.S. BUILDING
DR. B.R.AMBEDKAR VEEDHI
BENGALURU-560 001
BY ITS SECRETARY

2. THE ASSISTANT COMMISSIONER
PANDAVAPURA SUB DIVISION
PANDAVAPURA-571434
MANDYA DISTRICT
3. THE ARALAKUPPE GRAMA PANCHAYATH
ARALAKUPPE VILLAGE-571427
PANDAVAPURA TALUK
MANDYA DISTRICT
REPRESENTED BY ITS
PANCHAYATH DEVELOPMENT OFFICER
4. SMT. YASHODHA R.
AGED ABOUT 50 YEARS
W/O NOT KNOWN TO THE PETITIONER
WORKING AS ASSISTANT COMMISSIONER
PANDAVAPURA SUB DIVISION
PANDAVAPURA-571434
MANDYA DISTRICT
5. SMT. JYOTHI
W/O ARJUNA
AGED ABOUT 35 YEARS
MEMBER, ARALAKUPPE GRAMA PANCHAYATH
RESIDENT OF SITAPURA VILLAGE-571427
PANDAVAPURA TALUK
MANDYA DISTRICT
6. SRI. MAHADEVA S
S/O NOT KNOWN TO THE PETITIONER
AGED ABOUT 50 YEARS
MEMBER ARALAKUPPE GRAMA PANCHAYATH
ARALAKUPPE VILLAGE-571427
PANDAVAPURA TALUK
MANDYA DISTRICT
7. SMT. PADMAMMA
W/O MURUGESHA
AGED ABOUT 60 YEARS
MEMBER, ARALAKUPPE GRAMA PANCHAYATH

RESIDENT OF SITAPURA VILLAGE-571427
PANDAVAPURA TALUK
MANDYA DISTRICT

8. SRI DHANANJAYA
S/O CHALUVE GOWDA
AGED ABOUT 50 YEARS
MEMBER, ARALAKUPPE GRAMA PANCHAYATH
RESIDENT OF J. MALLENAHALLI VILLAGE-571427
PANDAVAPURA TALUK
MANDYA DISTRICT
9. SRI YOGESH
S/O NOT KNOWN TO THE PETITIONER
AGED ABOUT 38 YEARS
MEMBER, ARALAKUPPE GRAMA PANCHAYATH
RESIDENT OF ARALAKUPPE VILLAGE-571427
PANDAVAPURA TALUK
MANDYA DISTRICT
10. SRI SOMASHEKARA S
S/O NOT KNOWN TO THE PETITIONER
AGED ABOUT 40 YEARS
MEMBER, ARALAKUPPE GRAMA PANCHAYATH
RESIDENT OF ARALAKUPPE VILLAGE-571427
PANDAVAPURA TALUK
MANDYA DISTRICT
11. SRI H. MAHESH
S/O HALE GOWDA
AGED ABOUT 40 YEARS
MEMBER, ARALAKUPPE GRAMA PANCHAYATH
RESIDING AT ARALAKUPPE VILLAGE-571427
PANDAVAPURA TALUK
MANDYA DISTRICT
12. SMT. SHWETHA
W/O ASHOKA
AGED ABOUT 38 YEARS
MEMBER, ARALAKUPPE GRAMA PANCHAYATH
RESIDENT OF ARALAKUPPE VILLAGE-571427

PANDAVAPURA TALUK
MANDYA DISTRICT

13. SMT. SHIVAMMA
W/O NOT KNOWN TO THE PETITIONER
AGED ABOUT 45 YEARS
MEMBER, ARALAKUPPE GRAMA PANCHAYATH
RESIDENT OF ARALAKUPPE VILLAGE-571427
PANDAVAPURA TALUK
MANDYA DISTRICT
14. SMT. H.M.SHOBHA
W/O DHANAJAYA
AGED ABOUT 40 YEARS
MEMBER, ARALAKUPPE GRAMA PANCHAYATH
RESIDENT OF SITAPURA VILLAGE-571427
PANDAVAPURA TALUK
MANDYA DISTRICT
15. SRI. SOMA
S/O NOT KNOWN TO THE PETITIONER
AGED ABOUT 32 YEARS
MEMBER, ARALAKUPPE GRAMA PANCHAYATH
RESIDENT OF ARALAKUPPE VILLAGE-571427
PANDAVAPURA TALUK
MANDYA DISTRICT
16. SRI. CHIDANANDA
S/O NOT KNOWN TO THE PETITIONER
AGED ABOUT 40 YEARS
MEMBER, ARALAKUPPE GRAMA PANCHAYATH
RESIDENT OF ARALAKUPPE VILLAGE-571427
PANDAVAPURA TALUK
MANDYA DISTRICT
17. SRI. VISHWANATHA
S/O NARASIMHE GOWDA
AGED ABOUT 45 YEARS
MEMBER, ARALAKUPPE GRAMA PANCHAYATH
RESIDENT OF SITAPURA VILLAGE-571427

PANDAVAPURA TALUK
MANDYA DISTRICT

... RESPONDENTS

(BY SRI.A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & 2,
SRI B.J.SOMAYAJI, ADVOCATE FOR R3,
SRI NANJUNDA REDDY, SR.COUNSEL FOR
SRI J.C.KUMAR, ADVOCATE FOR R5 TO R17
R4 SERVED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 28/02/2018
IN WP NO.4674/2018 PASSED BY THE LEARNED SINGLE JUDGE OF
THIS HON'BLE COURT AND TO ALLOW THE WRIT PETITION FILED
BY THE PETITIONER/APPELLANT IN WP NO.4674/2018 BEFORE THE
LEARNED SINGLE JUDGE OF THIS HON'BLE COURT.

IN W.A. NO. 876/2018

BETWEEN

SRI RAMACHANDRAPP B.
AGED ABOUT 68 YEARS
S/O. LATE V. BAIYANNA
R/AT CHILAKALANERPU VILLAGE AND POST
PRESIDENT OF CHILAKALANERPU
GRAMA PANCHAYATH
CHINTAMANI TALUK-563 125.
CHICKBALLAPURA DISTRICT.

... APPELLANT

(BY SRI R.BHADRINATH, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
PANCHAYATH RAJ DEPARTMENT
M.S. BUILDING
DR. B.R. AMBEDKAR VEEDHI

BENGALURU 560001
BY ITS SECRETARY

2. THE ASSISTANT COMMISSIONER
CHICKBALLAPURA SUB DIVISION-562 101,
CHICKBALLAPURA DISTRICT
3. THE CHILAKALANERPU GRAMA PANCHAYATH
CHILAKALANERPU POST
CHICKBALLAPURA TALUK-563125
CHICKBALLAPURA DISTRICT
REPRESENTED BY ITS
PANCHAYATH DEVELOPMENT OFFICER
4. SRI Y SREERAMA REDDY
S/O NOT KNOW
AGED ABOUT 68 YEARS
R/AT HOSAHUDYA VILLAGE
MEMBER, CHILAKALANERPU GRAMA PANCHAYATH
CHILAKALANERPU VILLAGE & POST
CHINTAMANI TALUK-563125
CHICKBALLAPURA DISTRICT
5. SRI N SUBBA REDDY
AGED ABOUT 53 YEARS
S/O NOT KNOW
R/AT T.DEVAPALLI VILLAGE
MEMBER, CHILAKALNERPU GRAMA PANCHAYATH
CHILAKALANERPU VILLAGE AND POST
CHINTAMANI TALUK-563125
CHICKBALLAPURA DISTRICT
6. SRI T.Y. SUBBARAYAPPA
S/O NOT KNOW
AGED ABOUT 45 YEARS
R/AT THULAVANURU VILLAGE
MEMBER, CHILAKALNERPU GRAMA PANCHAYATH
CHILAKALANERPU VILLAGE AND POST
CHINTAMANI TALUK-563125
CHICKBALLAPURA DISTRICT

7. SMT. NARASAMMA
W/O NOT KNOW
AGED ABOUT 51 YEARS
R/AT T.GOLLAHALLI VILLAGE
MEMBER, CHILAKALNERPU GRAMA PANCHAYATH
CHILAKALANERPU VILLAGE AND POST
CHINTAMANI TALUK-563125
CHICKBALLAPURA DISTRICT
8. SMT. ASHWANI
W/O NOT KNOW
AGED ABOUT 37 YEARS
R/AT T.GOLLAHALLI VILLAGE
MEMBER, CHILAKALNERPU GRAMA PANCHAYATH
CHILAKALANERPU VILLAGE AND POST
CHINTAMANI TALUK-563125
CHICKBALLAPURA DISTRICT
9. SMT. MANJULA
AGED ABOUT 44 YEARS
W/O NOT KNOW
R/AT T.GOLLAHALLI VILLAGE
MEMBER, CHILAKALNERPU GRAMA PANCHAYATH
CHILAKALANERPU VILLAGE AND POST
CHINTAMANI TALUK-563125
CHICKBALLAPURA DISTRICT
10. SMT. LAKSHMIDEVAMMA
W/O NOT KNOW
AGED ABOUT 53 YEARS
R/AT HOSAHUDYA VILLAGE & POST
MEMBER, CHILAKALNERPU GRAMA PANCHAYATH
CHILAKALANERPU VILLAGE AND POST
CHINTAMANI TALUK-563125
CHICKBALLAPURA DISTRICT
11. SRI M.C. VENKATARAMANAPPA
S/O NOT KNOW
AGED ABOUT 51 YEARS
R/AT CHILAKALANERPU VILLAGE & POST
MEMBER, CHILAKALNERPU GRAMA PANCHAYATH

CHILAKALANERPU VILLAGE AND POST
CHINTAMANI TALUK-563125
CHICKBALLAPURA DISTRICT

12. SMT. SARASWATHAMMA
W/O. NOT KNOW
AGED ABOUT 47 YEARS
R/AT CHILAKALANERPU VILLAGE & POST
MEMBER, CHILAKALNERPU GRAMA PANCHAYATH
CHILAKALANERPU VILLAGE AND POST
CHINTAMANI TALUK-563125
CHICKBALLAPURA DISTRICT
13. SMT. N. LATHA
W/O NOT KNOW
AGED ABOUT 50 YEARS
R/AT CHILAKALANERPU VILLAGE & POST
MEMBER, CHILAKALNERPU GRAMA PANCHAYATH
CHILAKALANERPU VILLAGE AND POST
CHINTAMANI TALUK-563125
CHICKBALLAPURA DISTRICT
14. SMT. RAJAMMA
W/O NOT KNOW
AGED ABOUT 51 YEARS
R/AT CHILAKALANERPU VILLAGE & POST
MEMBER, CHILAKALNERPU GRAMA PANCHAYATH
CHILAKALANERPU VILLAGE AND POST
CHINTAMANI TALUK-563125
CHICKBALLAPURA DISTRICT
15. SRI SRINIVASA
S/O NOT KNOW
AGED ABOUT 52 YEARS
R/AT MINCEHALLAHALLI VILLAGE
MEMBER, CHILAKALNERPU GRAMA PANCHAYATH
CHILAKALANERPU VILLAGE AND POST
CHINTAMANI TALUK-563125
CHICKBALLAPURA DISTRICT

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2
SRI N. PRADEEP, ADVOCATE FOR R3
SRI NANJUNDA REDDY, SR.ADVOCATE FOR
SRI.J.C. KUMAR, ADVOCATE FOR R5 TO R14 AND
R4 & R15 SERVED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 28/02/2018
IN WP NO.6943/2018 PASSED BY THE LEARNED SINGLE JUDGE OF
THIS HON'BLE COURT AND TO ALLOW THE WRIT PETITION FILED
BY THE PETITIONER/APPELLANT IN WP NO.6943/2018 BEFORE THE
LEARNED SINGLE JUDGE OF THIS HON'BLE COURT.

IN W.A. NO. 877/2018

BETWEEN

SMT. SUJATHA
AGED ABOUT 33 YEARS
W/O. S. KANTHARAJU
R/AT ANAKANAHALLI VILLAGE
PRESIDENT OF ARANI GRAMA PANCHAYATH
NAGAMANGALA TALUK-571418
BELLUR HOBLI
MANDYA DISTRICT

... APPELLANT

(BY SRI R. BHADRINATH, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
PANCHAYATH RAJ DEPARTMENT
M.S. BUILDING
DR. B.R. AMBEDKAR VEEDHI
BENGALURU-560001
BY ITS SECRETARY

2. THE ASSISTANT COMMISSIONER
PANDAVAPURA SUB DIVISION
PANDAVAPURA-571434
MANDYA DISTRICT
3. THE ARANI GRAMA PANCHAYATH
ARANI VILLAGE
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT
REP. BY ITS PANCHAYATH DEVELOPMENT OFFICER
4. SMT. THUNGA
W/O. MUKUESH
AGED ABOUT 42 YEARS
MEMBER, ARANI GRAMA PANCHAYATH
R/AT SIDDAPURA VILLAGE, HONNAHALLI POST
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT
5. SRI. RAVI KUMAR
AGED ABOUT 35 YEARS
S/O. CHANDRANNA
MEMBER, ARANI GRAMA PANCHAYATH
R/AT M. KODIHALLI VILLAGE, HONNAHALLI POST
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT
6. SMT. RAMAMMA
AGED ABOUT 33 YEARS
W/O. BASAVANNA
MEMBER, ARANI GRAMA PANCHAYATH
R/AT HONNAHALLI VILLAGE, HONNAHALLI POST
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT

7. SRI. JAGADISH
S/O. GANGADARA GOWDA
AGED ABOUT 43 YEARS
MEMBER, ARANI GRAMA PANCHAYATH
R/AT HONNAHALLI VILLAGE, HONNAHALLI POST
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT
8. SRI. RAMESH
S/O. DEVA GOWDA
AGED ABOUT 36 YEARS
MEMBER, ARANI GRAMA PANCHAYATH
R/AT MANIMURE VILLAGE, HONNAHALLI POST
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT
9. SRI. CHENNAKESHA @ KRISHANA GOWDA
S/O. NAGAGOWDA
AGED ABOUT 37 YEARS
MEMBER, ARANI GRAMA PANCHAYATH
R/AT MYLANIHALLI VILLAGE, HONNAHALLI POST
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT
10. SMT. SUVARANAMMA
W/O. KOTACHAIRI
AGED ABOUT 57 YEARS
MEMBER, ARANI GRAMA PANCHAYATH
R/AT THIGALARAHALLI VILLAGE, ARANI POST
HONNAHALLI POST
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT
11. SRI. YOGESH
S/O. THIMMAIAH GOWDA
AGED ABOUT 45 YEARS
MEMBER, ARANI GRAMA PANCHAYATH

R/AT KANCHANAHALLI VILLAGE AND POST
HONNAHALLI POST
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT

12. SMT. RATHANAMMA
D/O. DIWAKAR MURTHY
AGED ABOUT 57 YEARS
MEMBER, ARANI GRAMA PANCHAYATH
R/AT KANCHANAHALLI VILLAGE, AND POST
HONNAHALLI POST
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT
13. SRI. NATARAJU
S/O. NANJUDA GOWDA
AGED ABOUT 35 YEARS
MEMBER, ARANI GRAMA PANCHAYATH
R/AT CHANDANAHALLI VILLAGE, KENCHANAHALLI POST
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT
14. SRI. BALU
S/O. LINGA GOWDA
AGED ABOUT 37 YEARS
MEMBER, ARANI GRAMA PANCHAYATH
R/AT ARANI VILLAGE, AND POST
HONNAHALLI POST
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT
15. SRI. BASAVARAJ
S/O. NINGA SHETTY
AGED ABOUT 45 YEARS
MEMBER, ARANI GRAMA PANCHAYATH
R/AT MANCHANAHALLI VILLAGE
HONNAHALLI POST

NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT

16. SMT. MANJAMMA
W/O. BASAVARAJ
AGED ABOUT 40 YEARS
MEMBER, ARANI GRAMA PANCHAYATH
R/AT MANCHANAHALLI VILLAGE
HONNAHALLI POST
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT
17. SMT. SORAJAMMA
AGED ABOUT 41 YEARS
W/O. W/O. HIRENNA
MEMBER, ARANI GRAMA PANCHAYATH
R/AT ARANI VILLAGE
AND POST
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT
18. SRI. HARIKRISHANA
AGED ABOUT 33 YEARS
S/O. SHANKARILINGA GOWDA
MEMBER, ARANI GRAMA PANCHAYATH
R/AT SRINGAPURA VILLAGE
ARANI POST
NAGAMANGALA TALUK-571 418
BELLUR HOBLI
MANDYA DISTRICT
19. SMT. SUVARANA
AGED ABOUT 30 YEARS
W/O. SHIVASHINKARA
MEMBER, ARANI GRAMA PANCHAYATH
R/AT K HOSAHALLI VILLAGE
ARANI POST
NAGAMANGALA TALUK-571 418

BELLUR HOBLI
MANDYA DISTRICT

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2,
SRI B.J.SOMAYAJI, FOR R3 AND
R4 TO R19 SERVED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 28/02/2018
IN WP NO.6944/2018 PASSED BY THE LEARNED SINGLE JUDGE OF
THIS HON'BLE COURT AND TO ALLOW THE WRIT PETITION FILED
BY THE PETITIONER/APPELLANT IN WP NO.6944/2018 BEFORE THE
LEARNED SINGLE JUDGE OF THIS HON'BLE COURT.

IN W.A. NO. 879/2018

BETWEEN

SMT. K.P. BORAMMA
W/O T. MAHANTESH
AGED ABOUT 48 YEARS
LINGAVVANAGTHIHALLI
BHARAMASAGARA HOBLI
CHITRADURGA TALUK-577519

... APPELLANT

(BY SRI H. DEVENDRAPPA, ADVOCATE)

AND

1. THE ASSISTANT COMMISSIONER
CHITRADURGA SUB DIVISION
CHITRADURGA-577 519
2. THE CHIKKABENNUR GRAM PANCHAYATH
CHIKKABENNUR
CHITRADURGA TALUK-577 519
REP BY P.D.O.

3. SRI ANJINAPPA
S/O BARAMAPPA
AGED ABOUT 48 YEARS
4. SMT HANUMAKKA
W/O NAGAPPA
AGED ABOUT 50 YEARS
5. SRI G.S. VEDAMURTHY
S/O NAGENDRAPPA
AGED ABOUT 40 YEARS
6. SMT R. MANJULAMMA
D/O RAJAPPA
AGED ABOUT 40 YEARS
7. SRI P. SURESH
S/O PARAMESHWARAPPA
AGED 38 YEARS
8. SRI VIJAYKUMAR
S/O KENCHAVEERAPPA
AGED ABOUT 38 YEARS
9. SRI T VENKATESH
S/O THIMAPPA
AGED ABOUT 42 YEARS
10. SMT SAVITHA
W/O UMESH
AGED ABOUT 30 YEARS
11. SMT. JAYAMMA
W/O THIPPESWAMY
AGED ABOUT 50 YEARS
12. SRI H T DEVARAJA
S/O THIPPESWAMY
AGED ABOUT 35 YEARS

13. SMT. REKHA
W/O VIRUPAKSHAPPA
AGED ABOUT 35 YEARS

14. SMT. SHAHEENABANU
W/O MD. AZIZ
AGED ABOUT 35 YEARS

ALL ARE MEMBERS AND
R/O. CHIKKABENNUR GRAM PANCHAYATH
CHIKKABENNUR
CHITRADURGA TALUK – 575 519

... RESPONDENTS

(BY SRI NAGENDRA KUMAR K., ADVOCATE FOR C/R8,
SRI GANAPATHY BHAT VAJRALLI, ADVOCATE FOR R8,
SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL AW
SRI VENKATESH DODDERI, AGA FOR R1,
SRI K.V.SATEESH CHANDRA FOR R2,
R3, R4, R7, R9, R10, R12 ARE SERVED
NOTICE TO R5, R6, R11, R13, & R14 DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE ORDER PASSED IN WP
NO.1724/2018 DATED 28/02/2018 PASSED BY THE LEARNED SINGLE
JUDGE IN SO FAR AS IT PERTAINS TO WP NO.1724/2018 HEREIN
AND CONSEQUENTLY ALLOW THE WRIT PETITION & ETC.

IN W.A. NO. 880/2018

BETWEEN

H.S. NANDEESH
S/O H.M. SHANKARAPPA
AGED ABOUT 48 YEARS
ADHYAKSHA OF
HARANAHALLI GRAMAPANCHAYATH

HARANAHALLI, ARASIKERE TALUK
HASSAN DISTRICT-573 103

... APPELLANT

(BY SRI S.V. PRAKASH, ADVOCATE)

AND

1. ASSISTANT COMMISSIONER
HASSAN SUB DIVISION
HASSAN-573201
2. GRAMAPANACHAYATH, HARANAHALLI
REPRESENTED BY ITS SECRETARY
HARANAHALLI
ARASIKERE TALUK, HASSAN DISTRICT-573103

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R-1 &
R2 - SERVED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT IN WP NO.3970/2018 BY ALLOWING THIS WRIT APPEAL IN THE ENDS OF JUSTICE AND CONSEQUENTLY ALLOW THE WRIT PETITION IN WP NO.3970/2018 AS PRAYED FOR THEREIN.

IN W.A. NO. 887/2018

BETWEEN

SRI R. VIJAYKUMAR
S/O REVANNA
AGED ABOUT 42 YEARS
MEDEHALLI POST
CHITRADURGA TALUK-577502

... APPELLANT

(BY SRI H. DEVENDRAPPA, ADVOCATE)

AND

1. THE ASSISTANT COMMISSIONER
CHITRADURGA SUB DIVISION
CHITRADURGA-577 502
2. THE MEDEHALLI GRAM PANCHAYATH
MEDEHALLI
CHITRADURGA TALUK-577 502
REP. BY ITS P. D. O.
3. SRI H. THIMMANNA
S/O HANUMANTHAPPA
AGED ABOUT 41 YEARS
4. SRI T MAHANTESH
S/O THIPPESWAMY
AGED ABOUT 55 YEARS
5. SRI M. UJJINI SWAMY
S/O MRUTHYUNJAYAPPA
AGED ABOUT 35 YEARS
6. SRI C. NAGARAJ
S/O CHANDRAPPA
AGED ABOUT 38 YEARS
7. SRI V. THIMMESH
S/O VEERABHADRAPPA
AGED ABOUT 32 YEARS
8. SRI M. GOVINDARAJ
S/O MALLESHAPPA
AGED ABOUT 43 YEARS
9. SRI R. MADHU KUMAR
S/O M T RUDRAMANI
AGED ABOUT 32 YEARS

10. SMT. S. KAMALAMMA
W/O SRINIVAS
AGED ABOUT 37 YEARS
11. SMT. Y.M. NANDINI
W/O UJJINE SWAMY
AGED ABOUT 30 YEARS
12. SMT. A. BHARGAVI REDDY
W/O JAYARAM REDDY
AGED ABOUT 29 YEARS
13. SMT. SHAHEENA BANU
W/O BASHA SAB
AGED ABOUT 48 YEARS
14. SMT. VANAJAKSHAMMA
W/O RUDRAPPA
AGED ABOUT 33 YEARS
15. SMT. JUGALI HANUMAKKA
W/O ERAPPA
AGED ABOUT 58 YEARS
16. SMT. SUSHEELAMMA
W/O MANJANNA
AGED ABOUT 36 YEARS

ALL ARE MEMBERS AND
R/O MEDEHALLI GRAM PANCHAYATH
MEDEHALLI
CHITRADURGA TALUK-577 502

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1,
SRI GANAPATHY BHAT VAJRALLI, ADVOCATE FOR R-3,
SRI M.SATEESH CHANDRA, ADVOCATE FOR R-2,
R-5 TO R-16 SERVED, R-4 NOTICE
HELD SUFFICIENT VIDE ORDER 05.06.2018)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER PASSED IN WP NO.1779/2018 DATED 28/02/2018 PASSED BY THE LEARNED SINGLE JUDGE IN SO FAR AS IT PERTAINS TO WP NO.1779/2018 HEREIN AND CONSEQUENTLY ALLOW THE WRIT PETITION & ETC.

IN W.A. NO. 888/2018

BETWEEN

SRI N.J. SURESH
S/O JAYAPPA N.M
AGED ABOUT 43 YEARS
PRESIDENT
NARAYANAPURA GRAM PANCHAYATHI
R/O NARAYANAPURA VILLAGE
JAVOOR POST
SHIVANI HOBLI
TARIKERE TALUK-577145
CHICKMAGALUR DIST

... APPELLANT

(BY SRI ONKARA K.B., ADVOCATE)

AND

1. THE ASSISTANT COMMISSIONER
TARIKERE SUB DIVISION
TARIKERE-577228
CHIKMAGALUR DIST
2. THE DEPUTY COMMISSIONER
CHIKMAGALORE DISTRICT
CHIKMAGALORE-577101
3. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF RURAL DEVELOPMENT &
PANCHAYATH RAJ

M.S. BUILDING
BANGALORE-01

4. B.M. MALLESHAPPA
S/O MURUGEPPA
AGED ABOUT 41 YEARS
GRAMA PANCHAYATH MEMBER NARAYANAPURA
R/O BANKANAKATTE VILLAGE
JAVOOR POST
TAREKERE TALUK
CHIKMAGALURU DIST-577145
5. HEMAVATHI
W/O SHIVAMURTHY B
AGED ABOUT 40 YEARS
GRAMA PANCHAYATH MEMEBR NARAYANAPUR
R/O BANKANAKATTE VILALGE
JAVOOR POST TAREKERE TALUK
CHIKKAMAGALORE DIST-577145
6. B E RAJAPPA
AGED ABOUT 40 YEARS
S/O ESWARAPPA
GRAMA PANCHAYATH MEMBER NARAYANAPUR
R/O BANKANAKATTE VILLAGE
JAVOOR POST
TAREKERE TALUK
CHIKKAMAGALURU DIST-577145
7. T SHAILA
AGED ABOUT 30 YEARS
W/O THIMMAPPA
GRAMA PANCHAYATH MEMBER NARAYANAPUR
R/O BANAKANAKATTE VILLAGE
JAVOOR POST
TAREKERE TALUK
CHIKKAMAGALURU DIST-577145
8. PUTTAMMA
AGED ABOUT 30 YEARS
W/O THIMMAPPA

GRAMA PANCHAYATH MEMBER NARAYANAPUR
R/O BANKANAKATTE VILALGE
JAVOOR POST
TAREKERE TALUK
CHIKKAMAGALUR DIST-577145

9. M.G. SURESH
AGED ABOUT 53 YEARS
S/O GURUMURTHY
GRAMA PANCHAYATH MEMBER NARAYANAPIJR
R/O M HOSAHALLI VILLAGE
KATEGANERE POST
TAREKERE TALUK
CHIKKAMAGALUR DIST-577145

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL AW
SRI VENKATESH DODDERI, AGA FOR R1 - R3 &
SRI BASAVARAJ PUJAR S., ADVOCATE FOR R4 - R9)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE IMPUGNED ORDER
DATED 28/02/2018 PASSED BY THE LEARNED SINGLE JUDGE IN
WRIT PETITION NO.5953/2018 [LB-RES] AS PER ANNEXURE-A AND
ALLOW THE WRIT APPEAL AS PRAYED FOR.

IN W.A. NOs. 897/2018 & 942/2018

BETWEEN:

1. SMT. CHANDRAKALA M.R.
AGED ABOUT 37 YEARS
W/O SHRINIVASA
PRESIDENT
MELINABESIGE VILLAGE PANCHAYATH
R/O MANASETTE
MELINABESIGE
HOSANAGAR TALUK
SHIVAMOGGA DISTRICT-577426

2. SMT. SUVARNA S.G.
AGED ABOUT 36 YEARS
W/O SIDDESHWARA
VICE PRESIDENT
MELINABESIGE VILLAGE PANCHAYATH
R/O HOSANAGAR TALUK
SHIVAMOGGA DISTRICT-577426

... APPELLANTS

(BY SRI CHIDAMBARA G.S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
DEPARTMENT OF PANCHAYAT RAJ AND
RURAL DEVELOPMENT
REPRESENTED BY ITS SECRETARY
VIDHANA SOUDHA, BENGALURU-560 001
2. THE SENIOR ASSISTANT COMMISSIONER
SAGAR SUB DIVISION
SAGAR, SHIVAMOGGA DISTRICT-577301
3. THE MELINA BESIGE GRAMA PANCHAYAT
MELINA BESIGE
HOSANAGARA TALUK
SHIVAMOGGA DISTRICT-577426
REPRESENTED BY ITS DEVELOPMENT OFFICER.

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI M. PRADEEP, ADVOCATE FOR R3)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED
28/02/2018 PASSED BY THE LEARNED SINGLE JUDGE OF THIS
HON'BLE COURT IN WP NOS.6009-6010/2018 BY ALLOWING THIS
WRIT APPEAL IN THE ENDS OF JUSTICE AND CONSEQUENTLY

ALLOW THE WRIT PETITION IN WP NOS.6009-6010/2018 AS PRAYED FOR THEREIN.

IN W.A. NO. 900/2018

BETWEEN

SRI H.R. RAMESHA
SON OF SRI. RAMAKRISHNA H.B.
AGED ABOUT 32 YEARS,
HOSAKERE VILLGE
AMRUTHUR HOBLI
KUNIGAL TALUK
TUMAKUR DISTRICT
KARNATAKA-572 111

... APPELLANT

(BY SRI C.R. GOPALASWAMY, ADVOCATE)

AND

1. THE ASSISTANT COMMISSIONER
KUNIGAL SUB DIVISION
MINI VIDHANA SOUDHA
TUMAKURU
KARNATAKA -572101
2. THE JENNAGEREGRAMA PANCHAYATH
JENNAGERE VILLAGE
AMRUTHUR HOBLI
KUNIGAL TALUK
TUMAKURU DISTRICT
KARNATAKA 572111
REPRESENTED BY ITS
PANCHAYATH DEVELOPMENT OFFICER
3. PANCHAYATH DEVELOPMENT OFFICER
JENNAGERE GRAMA PANCHAYATH
JENNAGERE VILLAGE
AMRUTHUR HOBLI,

KUNIGAL TALUK
TUMAKURU DISTRICT
KARNATAKA-572111

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W &
SRI.VENKATESH DODDERI, AGA FOR R1 AND
SRI SACHIN B.S., ADVOCATE FOR C/R2 & R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE JUDGEMENT AND ORDER
PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE
COURT, DATED 28/02/2018, VIDE WP NO.1950/2018 CONSEQUENTLY
ALLOW THE WRIT PETITION & ETC.

IN W.A. NO. 901/2018

BETWEEN

PADMAVATHI. T. C.
W/O. T. N. CHANNEGOWDA
AGED ABOUT 38 YEARS
MEMBER KANTHAPURA GRAMA PANCHAYATH
NAGAMANGALA TALUK
R/O. NO.70/1, THATTEKERE VILLAGE
NAGAMANGALA TALUK
MANDYA DISTRICT-571 432

... APPELLANT

(BY SRI SYED AKBAR PASHA, ADVOCATE)

AND

1. STATE OF KARNATAKA
DEPARTMENT OF PANCHAYATH RAJ AND
RURAL DEVELOPMENT
REP. BY ITS SECRETARY
VIDHANA SOUDHA
BANGALORE-560 001

2. THE ASSISTANT COMMISSIONER
PANDAVAPURA SUB DIVISION
PANDAVAPURA
MANDYA DISTRICT-571 434
3. THE SECRETARY
KANTHAPURA GRAMA PANCHAYATH
KANTHAPURA
NAGAMANAGALA TALUK
MANDYA DISTRICT-571 432

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL AW
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI B.J.SOMAYAJI, ADVOCATE FOR R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO ALLOW THIS APPEAL BY SETTING ASIDE THE JUDGEMENT PASSED BY THE SINGLE JUDGE OF THIS HON'BLE COURT IN WP NO.8146/2018 DATED 28/02/2018 AND FURTHER GRANT RELIEF AS PRAYED FOR IN THE WRIT PETITION NO.8146/2018.

IN W.A. NO. 909/2018

BETWEEN

SMT. MANJULA G.
W/O. REVANNA
AGED ABOUT 23 YEARS
R/AT GOLDSMITH ROAD
TYAMAGONDLU TOWN
NELAMANGALA TALUK
BANGALORE RURAL DISTRICT-562 123

... APPELLANT

(BY SRI MAHAMMED TAHIR A., ADVOCATE)

AND

1. STATE OF KARNATAKA
DEPARTMENT OF PANCHAYAT RAJ AND
RURAL DEVELOPMENT
VIDHANA SOUDHA
M.S. BUILDING,
BANGALORE 560001
BY ITS PRINCIPAL SECRETARY
2. THE ASSISTANT COMMISSIONER
SUB DIVISION, DODDABALLAPUR
BANGALORE RURAL DISTRICT-561203
3. TYAMAGONDLU GRAMA PANCHAYAT
TYAMAGONDLU, NELAMANGALA TALUK
BANGALORE RURAL DISTRICT-562123
BY ITS SECRETARY

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
R-3 SERVED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO ALLOW THIS APPEAL, BY SETTING ASIDE
THE ORDER DATED 28/02/2018 IN WRIT PETITION NO.4676/2018 BY
THE LEARNED SINGLE JUDGE AND GRANT THE PRAYERS AS
PRAYED FOR IN THE WRIT PETITION NO.4676/2018.

IN W.A. NO. 913/2018

BETWEEN

SMT. SOUMYA K.P.
AGE 38 YEARS
PRESIDENT
CHENNIGA GRAMA PANCHAYATH
R/AT HOISALALU
INNAPURA POST

MUDIGERE TALUK
CHIKKAMAGALURU DISTRICT-577132

... APPELLANT

(BY SRI LOHITASWA BANAKAR, ADVOCATE)

AND

1. STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
VIKASA SOUDHA
AMBEDKAR VEEDHI
BANGALORE-560001
BY ITS SECRETARY
2. THE ASSISTANT COMMISSIONER
CHIKKAMAGALUR DISTRICT
CHIKKAMAGALURU-577132
3. THE PANCHAYATH DEVELOPMENT OFFICER
CHENNIGA GRAMA PANCHAYATH
MUDIGERE TALUK
CHIKKAMAGALURU DISTRICT-577132

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & 2 AND
SRI K.B. ONKARA, ADVOCATE FOR R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO ALLOW THE APPEAL BY SETTING ASIDE
THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED SINGLE
JUDGE IN WP NO.4958/2018 [LB-ELE] & ETC.

IN W.A. NOs. 914/2018 & 929/2018

BETWEEN

1. SMT. SARASAMMA
W/O RAMEGOWDA

AGED ABOUT 45 YEARS
PRESIDENT
BYADARAHALLI GRAMA PANCHAYATH
BYADARAHALLI, K.R.NAGAR TALUK
MYSURU DISTRICT-571 602.

2. SRI. RAMEGOWDA. B
S/O LATE BILIGOWDA
AGED ABOUT 65 YEARS
VICE PRESIDENT
BYADARAHALLI GRAMA PANCHAYATH
BYADARAHALLI
K.R.NAGAR TALUK
MYSURU DISTRICT-571 602

... APPELLANTS

(BY SRI PRAKASH M.H., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
DEPARTMENT OF PANCHAYATH RAJ AND
RURAL DEVELOPMENT
VIDHANA SOUDHA, BENGALURU-560 001
REPRESENTED BY ITS SECRETARY
2. THE ASSISTANT COMMISSIONER
HUNSUR SUB-DIVISION
HUNSUR
MYSURU DISTRICT-571 105
3. THE BYADARAHALLI GRAMA PANCHAYATH
BYADARAHALLI, K.R. NAGAR TALUK,
MYSURU DISTRICT-571 602
REPRESENTED BY ITS PANCHAYATH
DEVELOPMENT OFFICER

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI B.J. SOMAYAJI, ADVOCATE FOR R3)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO ALLOW THE APPEAL BY SETTING ASIDE THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED SINGLE JUDGE IN WP NOS.3978-79/2018 [LB-RES].

IN W.A. NO. 915/2018

BETWEEN

SMT. HEMALATHA N.
AGED ABOUT 43 YEARS
W/O CHANDRASHEKAR
PRESIDENT OF
LALANDEVANAHALLI GRAMA PANCHAYATH
R/AT: LALANDEVANAHALLI VILLAGE
KASABA HOBLI
K.R.NAGAR TALUK
MYSURU DISTRICT - 571 602

... APPELLANT

(BY SRI PRAKASH M.H., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
DEPARTMENT OF PANCHAYATH RAJ AND
RURAL DEVELOPMENT
VIDHANASOUDHA
BENGALURU - 560 001
REPRESENTED BY ITS SECRETARY
2. THE ASSISTANT COMMISSIONER
HUNSUR SUB-DIVISION
HUNSUR
MYSURU DISTRICT - 571 105
3. THE LALANDEVANAHALLI GRAMA PANCHAYATH
LALANDEVANAHALLI
K.R.NAGAR TALUK
MYSURU DISTRICT - 571 602

REPRESENTED BY ITS
PANCHAYATH DEVELOPMENT OFFICER.

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI B.J. SOMAYAJI, FOR R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO ALLOW THE APPEAL BY SETTING ASIDE
THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED SINGLE
JUDGE IN WP NO.3980/2018 [LB-ELE]

IN W.A. NO. 916/2018

BETWEEN

SMT. MANJULA. R
W/O CHANDRASHEKAR
AGED 28 YEARS
PRESIDENT OF S. NERALAKERE
GRAM PANCHAYAT
HOSADURGA TALUK
CHITRADUGA DIST-577501

... APPELLANT

(BY SRI PRAKASH M.H., ADVOCATE)

AND

1. PRINCIPAL SECRETARY
RURAL DEVELOPMENT &
PANCHAYATH DEPARTMENT
VIKASA SOUDHA
BANGALORE-560001
2. ASSISTANT COMMISSIONER
CHITRADURGA-577501
3. EXECUTIVE OFFICER
TALUK PANCHAYATH

HOSADURGA TALUK
CHITRADURGA DIST-577501

4. PANCHAYATH DEVELOPMENT
OFFICER
S. NERALAKERE GRAMA PANCHAYATH
HOSADURGA TALUK
CHITRADURGA DIST-577501

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2,
SRI B. AMARNATH & SRI K.KISHOR KUMAR, ADVOCATES FOR R4 &
R3 - SERVED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 28/02/2018
PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO. 3486/2018
(LB-RES).

IN W.A. NO. 917/2018

BETWEEN

SMT. GEETHA D.
W/O SRI RANGANATH
AGED 34 YEARS
PRESIDENT, HANCHIKUPPE GRAM PANCHAYATH
MAGADI TALUK
RAMANAGAR DISTRICT
RESIDENT OF KARALAMANGALA
VILLAGE & POST
MADABALLA HOBLI
MAGADI TALUK
RAMANAGAR DISTRICT-561 201

... APPELLANT

(BY SRI PRASANNA KUMAR P., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRL. SECRETARY
DEPARTMENT OF RURAL DEVELOPMENT
& PANCHAYATH RAJ
M.S. BUILDING
DR. B.R. AMBEDKAR VEEDHI
BENGALURU-560 001
2. ASST. COMMISSIONER
RAMNAGAR-571 511
3. THE SECRETARY OF
HANCHIKUPPE GRAM PANCHAYATH
VEEREGOWDANA DODDI VILLAGE
MADABALLA HOBLI
MAGADI TALUK
RAMANAGAR DISTRICT-571 511
4. SMT. MANJULA
W/O A.B. LOKESH
AGED 45 YEARS
MEMBER, HANCHIKUPPE GRAM PANCHAYATH
RESIDENT OF MANCHENABELLE
VILLAGE & POST
MADABALLA HOBLI
MAGADI TALUK
RAMNAGAR DISTRICT-571 511
5. SIDDAPPAJI
S/O LATE SIDDAIAH
AGED 52 YEARS
MEMBER, HANCHIKUPPE GRAMA PANCHAYATH
R/AT KILLEDARANA PALYA
VILLAGE, KARALAMANGALA POST
MAGADI TALUK
MADABALLA HOBLI
RAMANAGAR DISTRICT-561 201

6. GANGANARASIMHAIAH
S/O LATE KAMBAIAH
AGED 50 YEARS
MEMBER, HANCHIKUPPE GRAM PANCHAYATH
NAIKANA PALYA
RESIDENT OF V.G. DODDI POST
MAGADI TALUK, MADABALLA HOBLI
RAMANAGAR DISTRICT-561201
7. SMT. LEELAVATHI
W/O D.C. NARASIMHAIAH
AGED 35 YEARS
MEMBER, HANCHIKUPPE GRAM PANCHAYATH
RESIDENT OF DABBAGULI VILALGE
MANCHENABELA POST
MAGADI TALUK
MADABALLA HOBLI
RAMANAGAR DISTRICT-561 201
8. SMT. GANGEBAI
W/O MR KRISHNA NAIKA
AGED 55 YEARS
MEMBER, HANCHIKUPPE GRAM PANCHAYATH
RESIDENT OF V.G. DODDI VILALGE & POST
MAGADI TALUK
MADABALLA HOBLI
RAMANAGAR DISTRICT-561201.
9. KALIMUTHAIAH
S/O LATE VENKATAMUTHAIAH
AGED 58 YEARS
MEMBER, HANCHIKUPPE GRAM PANCHAYATH
RESIDENT OF AVERAHALLI
MANCHENABELE POST
MAGADI TALUK, MADABALLA HOBLI
RAMANAGAR DISTRICT-561201
10. SMT. GOWRAMMA
W/O MR. CHANDRANNA
AGED 65 YEARS
MEMBER, HANCHIKUPPE GRAM PANCHAYATH

RESIDENT OF V.G. DODDI VILALGE & POST
MAGADI TALUK
MADABALLA HOBLI
RAMANAGAR DISTRICT 561 201

11. SMT. NASEEM TAJ
W/O MR GULZAR SHARIEF
MEMBER, HANCHIKUPPE GRAM PANCHAYATH
RESIDENT OF SAVANDURGA
V.G. DODDI PLOST
MAGADI TALUK
MADABALLA HOBI
RAMANAGAR DISTRICT 561 201
12. NAZEER AHMED
S/O LATE MOHAMMED GOUSE
AGED 60 YEARS
MEMBER, HANCHIKUPPE GRAM PANCHAYATH
RESIDENT OF HANCHIKUPPE GRAM PANCHAYATH
RESIDENT OF HANCHIKUPPE
V.G. DODDI POST
MAGADI TALUK
MADABALLA HOBLI
RAMANAGAR DISTRICT-561201
13. SMT. JAYAMMA
W/O MR RAMACHANDRAIAH
AGED 55 YEARS
MEMBER, HANCHIKUPPE GRAM PANCHAYATH
RESIDENT OF RAMKALPALYA
V.G. DODDI POST
MAGADI TALUK, MADABALLA HOBLI
RAMANAGARA DISTRICT-561 201
14. CHANDRASEKARAI AH V.S.
S/O MR SHIVANNA
AGED 35 YEARS
MEMBER, HANCHIKUPPE GRAM PANCHAYATH
RESIDENT OF V.G. DODDI VILALGE & POST
MAGADI TALUK, MADABALLA HOBLI
RAMNAGAR DISTRICT-561 201.

15. JAGADISH M.G
S/O MR GIRIAPPA
AGED 35 YEARS
MEMBER, HANCHIKUPPE GRAM PANCHAYATH
RESIDENT OF MANCHENABELLE
VILALGE & POST
MADABALLA HOBLI, MAGADI TALUK
RAMANAGARA DISTRICT-571 511
16. SMT. CHANDRAMMA
W/O MR UMESH
AGED 35 YEARS
MEMBER, HANCHIKUPPE GRAM PANCHAYATH
RESIDENT OF MANCHENABELLE
VILLAGE & POST
MADABALLA HOBLI, MAGADI TALUK
RAMANAGAR DISTRICT-571 511

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2,
SRI M.S.VENUGOPAL, ADVOCATE FOR R4 TO R16 AND
SRI B.J.SOMAYAJI, ADVOCATE FOR R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO ALLOW THE APPEAL BY SETTING ASIDE
THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED SINGLE
JUDGE IN WP NO.5394/2018 [LB-RES].

IN W.A. NO. 919/2018

BETWEEN

SMT. SUKANYA K.P.
W/O H.K. DEVARAJU
AGED ABOUT 35 YEARS
RESIDENT AT HOSAKOTE VILLAGE
HALEBEEDU, MALUKOTE HOBLI
PANDAVAPURA-571427

PANDAVAPURA TALUK
MANDYA DISTRICT

... APPELLANT

(BY SRI BHADRINATH R., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
PANCHAYATH RAJ DEPARTMENT
M.S. BUILDING
DR. B.R. AMBEDKAR VEEDHI
BENGALURU-560 001
BY ITS SECRETARY
2. THE ASSISTANT COMMISSIONER
PANDAVAPURA SUB DIVISION
PANDAVAPURA-571434
MANDYA DISTRICT
3. THE HALEBEEDU GRAMA PANCHAYATH
HALEBEEDU VILLAGE-571427
PANDAVAPURA TALUK
MANDYA DISTRICT
REPRESENTED BY ITS
PANCHAYATH DEVELOPMENT OFFICER
4. SRI B.S. NANJA GOWDA
S/O LATE SREEKANTA GOWDA
AGED ABOUT 53 YEARS
RESIDING AT BOLLANAHALLI VILLAGE
MEMBER, HALEBEEDU GRAMA PANCHAYATH
PANDAVAPURA TALUK-571427
MANDYA DISTRICT
5. SRI CHENNA GOWDA
AGED ABOUT 45 YEARS
S/O NINGA GOWDA
RESIDING AT HOSAKOTE VILLAGE
MEMBER, HALEBEDU GRAMA PANCHAYATH
PANDAVAPURA TALUK-571427
MANDYA DISTRICT

6. SRI C.K. CHENNA GOWDA
S/O KARRI GOWDA
AGED ABOUT 45 YEARS
RESIDING AT CHAKKANA HAIL VILLAGE
MEMEBER, HALEBEEDU GRAMA PANCHAYATH
PANDAVAPURA TALUK-571427
MANDYA DISTRICT
7. SRI CHANDRA GOWDA
S/O MAYA GOWDA
AGED ABOUT 51 YEARS
RESIDING AT ANNUYANA HALLI
MEMBER, HALEBEEDU GRAMA PANCHAYATH
PANDAVAPURA TALUK-571427
MANDYA DISTRICT
8. SRI N.C. KENGALA SHEETY
S/O CHIKKA HIDA SHETTY
AGED ABOUT 46 YEARS
RESIDING AT NARAHALLI VILLAGE
MEMBER, HALEBEEDU GRAMA PANCHAYATH
PANDAVAPURA TALUK-571427
MANDYA DISTRICT
9. SRI SWAMY N.J
S/O JAYARAIYA
AGED ABOUT 33 YEARS
RESIDING AT NARAHALLI
MEMBER, HALEBEEDU GRAMA PANCHAYATH
PANDAVAPURA TALUK-571427
MANDYA DISTRICT
10. SMT. GEETHA SHIVANNA
W/O M.C. SHIVANNA
AGED ABOUT 34 YEARS
RESIDING AT MUDDALLATHAPPULA VILLAGE
MEMBER, HALEBEEDU GRAMA PANCHAYATH
PANDAVAPURA TALUK-571427
MANDYA DISTRICT

11. SRI SREEDHARA
S/O VARDA CHARY
AGED ABOUT 35 YEARS
RESIDING AT HALEBEEDU VILLAGE
MEMBER, HALEBEEDU GRAMA PANCHAYATH
PANDAVAPURA TALUK-571427
MANDYA DISTRICT
12. SMT. NINGAMMA @ PREMA
W/O NEPPA GOWDA
AGED ABOUT 36 YEARS
RESIDING AT HOSKOTE VILLAGE
MEMBER, HALEBEEDU GRAMA PANCHAYATH
PANDAVAPURA TALUK-571427, MANDYA DISTRICT
13. SMT. BHAGAYAMMA
W/O L. LAKSHMANA SHEET
AGED ABOUT 52 YEARS
RESIDING AT CHAKKANA HAIL VILLAGE
MEMBER, HALEBEEDU GRAMA PANCHAYATH
PANDAVAPURA TALUK-571427, MANDYA DISTRICT
14. SMT. LATHA
W/O KULLA GOWDA H K
AGED ABOUT 33 YEARS,
RESIDING AT HALEBEEDU VILLAGE
MEMBER, HALEBEEDU GRAMA PANCHAYATH
PANDAVAPURA TALUK-571427
MANDYA DISTRICT
15. SMT. JAY LAKSHAMMA
W/O. SHIVALINGA NAYAK
AGED ABOUT 48 YEARS,
RESIDING AT BOLLANAHALLI VILLAGE
MEMBER, HALEBEEDU GRAMA PANCHAYATH
PANDAVAPURA TALUK-571427
MANDYA DISTRICT
16. SMT. PUSHPA
S/O PUTTASWAMY
AGED ABOUT 45 YEARS

RESIDING AT ANNUYANAHALLI VILLAGE
MEMBER, HALEBEEDU GRAMA PANCHAYATH
PANDAVAPURA TALUK-571427
MANDYA DISTRICT

17. SRI JAVARA GOWDA
S/O DODDNNNA GOWDA
AGED ABOUT 42 YEARS
RESIDING AT MAYANAGERA VILLAGE
MEMBER, HALEBEEDU GRAMA PANCHAYATH
PANDAVAPURA TALUK-571427
MANDYA DISTRICT

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2.
SRI B.J.SOMAYAJI, ADVOCATE FOR R3,
SRI D.N.NANJUNDA REDDY, SR.ADVOCATE FOR
SRI J.C.KUMAR, ADVOCATE FOR R4 TO R17)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 28/02/2018
IN WP NO.6372/2018 PASSED BY THE LEARNED SINGLE JUDGE OF
THIS HON'BLE COURT AND TO ALLOW THE WRIT PETITION FILED
BY THE PETITIONER/APPELLANT IN WP NO.6372/2018 BEFORE THE
LEARNED SINGLE JUDGE OF THIS HON'BLE COURT.

IN W. A. NO. 925/2018

BETWEEN

SMT. JYOTHI
W/O VENKATESH SHETTY
AGED 35 YEARS
KUNAGAHALLI VILLAGE & POST
KOLLEGAL TALUK
CHAMARAJANAGAR DIST-571442

... APPELLANT

(BY SRI SADASHIVAIAH K.G., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
DEPARTMENT OF PANCHAYATH
RAJ AND RURAL DEVELOPMENT
REP. BY ITS PRINCIPAL SECRETARY
M.S.BUILDING, AMBEDKAR VEEDHI
BENGALURU-560001
2. THE ASSISTANT COMMISSIONER
KOLLEGAL TALUK,
CHAMARAJANAGAR DIST-571440
3. KUNAGALLI GRAMA PANCHAYATH
KUNAGALLI VILLAGE
REP. BY ITS PANCHAYATH DEVELOPMENT OFFICER
KOLLEGAL TALUK
CHAMARAJANAGAR DIST-571442

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI D.V.GIRISH, ADVOCATE FOR R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT IN WP NO.5024/2018 BY ALLOWING THIS WRIT APPEAL IN THE ENDS OF JUSTICE AND CONSEQUENTLY ALLOW THE WRIT PETITION IN WP NO.5024/2018 AS PRAYED FOR THEREIN.

IN W.A. NO. 926/2018

BETWEEN

SMT. KALYANAMMA
W/O. MAHADEVA SHETTY
AGED 45 YEARS
NANJANSWAMY NAGAR
MADHUVANAHALLI VILLAGE

KOLLEGAL TALUK
CHAMARAJANAGAR DISTRICT-571 440

... APPELLANT

(BY SRI SADASHIVAIAH K.G., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
DEPARTMENT OF PANCHAYATH RAJ AND
RURAL DEVELOPMENT
BENGALURU-560 001
REP. BY ITS PRINCIPAL SECRETARY
2. THE ASSISTANT COMMISSIONER
KOLLEGAL TALUK
CHAMARAJANAGARA DISTRICT-571 440
3. MADHUVANAHALLI GRAMA PANCHAYATH
MADHUVANAHALLI VILLAGE
REP. BY ITS PANCHAYATH DEVELOPMENT OFFICER
KOLLEGAL TALUK
CHAMARAJANAGAR DISTRICT-571 440

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI D.V.GIRISH, ADVOCATE FOR R-3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 28/02/2017 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT IN WP NO.4929/2018 BY ALLOWING THIS WRIT APPEAL IN THE ENDS OF JUSTICE AND CONSEQUENTLY ALLOW THE WRIT PETITION IN WP NO.4929/2018 AS PRAYED FOR THEREIN.

IN W.A. NO. 928/2018

BETWEEN

HANUMANTHAMMA
W/O NAGENDRAPPA

AGED ABOUT 40 YEARS
ADHYAKSHA, GRAMA PANCHAYATH
TIMLAPURA, THARAGANAHALLI
HONNALI TALUK
DAVANAGERE DISTRICT-573103

... APPELLANT

(BY SRI S.V. PRAKASH, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
TO RURAL DEVELOPMENT AND PANCHAYATHRAJ
M.S. BUILDING
BENGALURU-560 001
2. ASSISTANT COMMISSIONER
DAVANAGERE SUBDIVISION
DAVANAGERE-577101
DAVANAGERE DISTRICT
3. GRAMA PANCHAYATH
THIMMLAPURA
HONNALI TALUK
DAVANAGERE DISTRICT-573101
REPRESENTED BY ITS SECRETARY

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI GIRI GOWDA .C., ADVOCATE FOR R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT IN WP NO.7733/2018 BY ALLOWING THIS WRIT APPEAL IN THE ENDS OF JUSTICE AND CONSEQUENTLY ALLOW THE WRIT PETITION IN WP NO.7733/2018 AS PRAYED FOR THEREIN.

IN W.A. NO. 930/2018

BETWEEN

SMT. REKHA
AGED ABOUT 32 YEARS
W/O SRI BINDUSARA S
R/A H. HOSAHALLI
DABBE POST
BELUEU TALUK
HASSAN DISTRICT-570 115

... APPELLANT

(BY SRI P.P. HEGDE, ADVOCATE)

AND

THE ASSISTANT COMMISSIONER
SAKLESHAPURA SUB DIVISION
SAKLESHAPURA-573134

... RESPONDENT

(BY SRI.A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.4363/2018 [LB-ELE] BY ALLOWING THIS WRIT APPEAL AND CONSEQUENTLY ALLOW THE WP NO.4363/2018 [LB-ELE] AS PRAYED FOR THEREIN.

IN W.A. NO. 932/2018

BETWEEN

SMT. SUMITHRA
W/O K.M.NAGARAJA
AGED ABOUT 35 YEARS
R/AT CHIKKA KURUBARAHALLI VILLAGE
BEECHAGANAHALLI POST

GUDIBANDE TALUK-561 209
CHIKKABALLAPURA DISTRICT
PRESIDENT

... APPELLANT

(BY SRI ADINARAYANA, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPT. BY ITS SECRETARY
DEPARTMENT OF PANCHAYATH RAJ
M.S.BUILDING
DR.AMBEDKAR VEEDHI
BENGALURU-560 001
2. THE ASSISTANT COMMISSIONER
CHICKBALLAPURA SUB-DIVISION
CHICKBALLAPURA-562 101
3. THE BEECHAGANAHALLI GRAMA PANCHAYATH
BEECHAGANAHALLI VILLAGE
GUDIBANDE TALUK-561209
CHICKBALLAPURA DISTRICT
REPRESENTED BY ITS PANCHAYATH
DEVELOPMENT OFFICER

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
R3 - SERVED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 28/02/2018 IN WP NO.8006/2018 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT AND TO ALLOW THE WRIT PETITION FILED BY THE PETITIONER/APPELLANT IN WP NO.8006/2018 BEFORE THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT.

IN W.A. NO. 933/2018

BETWEEN

SRI H.R. ESHWAR
S/O RAJEGOWDA
AGED ABOUT 38 YEARS
R/A HANUMIDI VILLAGE
BELUR TALUK
HASSAN DISTRICT-573234
PRESIDENT
NARAYANAPURA GRAMA PANCHAYATH
BELUR TALUK
HASSAN DISTRICT

... APPELLANT

(BY SRI P.P. HEGDE, ADVOCATE)

AND

1. ASSISTANT COMMISSIONER
SAKALESHAPUR SUB-DIVISION
SAKALESHAPUR TALUK
HASSAN DISTRICT-573214
2. DEPUTY COMMISSIONER
HASSAN DISTRICT
HASSAN-573201
3. PANCHAYAT DEVELOPMENT OFFICER
NARAYANAPURA GRAMA PANCHAYATH
BELUR TALUK, HASSAN DISTRICT-573214
4. PRINCIPAL SECRETARY
RURAL DEVELOPMENT AND PANCHAYAT RAJ
3RD GATE, 3RD FLOOR
M.S. BUILDING, BENGALURU-560001

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1, R2 & R4 AND
SRI JAGADEESH H.T., ADVOCATE FOR R-3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.4446/2018 [LB-RES] BY ALLOWING THIS WRIT APPEAL AND CONSEQUENTLY ALLOW THE WP NO.4446/2018 [LB-RES] AS PRAYED FOR THEREIN.

IN W.A. NO. 940/2018

BETWEEN

SMT. LALITHAMMA
W/O. RAJAPPA
R/O. GOWRAMMANAHALLI
THORANAGATTE POST
JAGALUR TALUK-577528
DAVANAGERE DISTRICT.

... APPELLANT

(BY SRI HANUMANTHAPPA A., ADVOCATE)

AND

1. THE ASSISTANT COMMISSIONER
HARAPANAHALLI
REVENUE SUB DIVISION
HARAPANAHALLI-583131
DAVANAGERE DISTRICT
2. THE PANCHAYATH DEVELOPMENT OFFICER
KALLE DEVARAPURA
GRAM PANCHAYATH, JAGALUR TALUK-577528
DAVANAGERE DISTRICT
3. THE BLOCK DEVELOPMENT OFFICER
JAGALUR TOWN, JAGALUR TALUK-577528
DAVANAGERE DISTRICT

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1,
SRI M.PRADEEP, ADVOCATE FOR R2 AND R3 - SERVED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET-ASIDE THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED SINGLE JUDGE IN SO FAR AS IT PERTAINS TO WP NO.4855/2018 [LB-RES] AND ALLOW THIS WRIT APPEAL.

IN W.A. NO. 941/2018

BETWEEN

SRI ANANDRAJ URS K.R.
S/O. T. RAMARAJU. T
AGED ABOUT 41 YEARS
PRESIDENT
KARTIKERE GRAMA PANCHAYATH
CHIKKAMAGALUR TALUK AND DISTRICT
RESIDENT OF KARTIKERE VILLAGE
CHIKKAMAGALURU TALUK
CHIKKAMAGALURU DISTRICT-577 101

... APPELLANT

(BY SRI CHANDRAKANTH R. GOULAY, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REP. BY ITS SECRETARY
DEPARTMENT OF RURAL DEVELOPMENT &
PANCHAYATHRAJ
M.S. BUILDING
BENGALURU-560 001
2. THE ASSISTANT COMMISSIONER
CHIKKAMAGALURU SUB DIVISION
CHIKKAMAGALURU-577 101
3. THE PANCHAYATH DEVELOPMENT OFFICER
KARTIKERE GRAMA PANCHAYATH

CHIKKAMAGALURU TALUK
CHIKKAMAGALURU DISTRICT-577 101

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI K.B.ONKARA, ADVOCATE FOR R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE MADE IN WP NO.6419/2018 DATED 28/02/2018 IN SO FAR AS IT RELATES TO THIS APPELLANT AND TO ALLOW THE WRIT APPEAL IN ITS ENTIRETY AND TO PASS APPROPRIATE SUITABLE ORDER .

IN W.A. NO. 944/2018

BETWEEN

T.V. MOHAN
S/O LATE VENKAPPA
AGED 48 YEARS
R/A TARALU VILLAGE
UTTARAHALLI HOBLI
BENGALURU SOUTH TALUK

AND ALSO THE PRESIDENT
TARALU VILLAGE PANCHAYATH
AT TARALU VILLAGE
UTTARAHALLI HOBLI
BENGALURU SOUTH TALUK
BENGALURU-560 082

... APPELLANT

(BY SRI D.R. RAVISHANKAR, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
BY SECRETARY
DEPARTMENT OF PANCHAYATH RAJ

M.S. BUILDING
BENGALURU-560001

2. ASST. COMMISSIONER
BENGALURU SOUTH SUB-DIVISION
KANDAYA BHAVAN, 2ND FLOOR
K.G. BUILDING
BANGALORE-560009
3. TARALU VILLAGE PANCHAYATH,
REPRESENTED BY ITS PANCHAYATH
DEVELOPMENT OFFICER
UTTARAHALLI HOBLI
BENGALURU SOUTH TALUK
BENGALURU-560082

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2,
SRI M. PRADEEP, ADVOCATE FOR R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET-ASIDE THE ORDERS PASSED IN
WP NO.5829/2018 DATED 28/02/2018 PASSED BY THE LEARNED
SINGLE JUDGE.

IN W.A. NO. 950/2018 & 994/2018

BETWEEN

SMT. PREMA. N
W/O. M. RAVI
AGED ABOUT 34 YEARS
R/AT KAIMARA VILLAGE
CHIKAMAGALUR TALUK
CHIKAMAGALUR DISTRICT-577 101

... APPELLANT

(BY SRI PRAKASH M.H., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REP. BY THE PRINCIPAL SECRETARY
DEPARTMENT OF PACHAYATH RAJ
M.S. BUILDING
AMBEDKAR STREET
BANGALORE-560 001
2. THE ASSISTANT COMMISSIONER
CHIKMAGALUR
REVENUE SUB-DIVISION
CHIKMAGALURU DISTRICT-577 101
3. ALLAMPURA GRAM PANCHAYATH
CHIKMAGALUR TALUK
REP. BY THE PANCHAYATH DEVELOPMENT OFFICER
CHIKMAGALURU TALUK AND DISTRICT-577 101
4. SMT. HEMAVATHI. T. P.
AGE: MAJOR
MEMBER
ALLAMPURA GRAM PANCHAYATH
CHIKMAGALUR TALUK
CHIKMAGALURU DISTRICT-577 101
5. SMT. GAYATHRI DRUVEESH
AGE: MAJOR
MEMBER & UPADHYAKSHYA
ALLAMPURA GRAM PANCHAYATH
CHIKMAGALUR TALUK
CHIKMAGALURU DISTRICT-577 101
6. SMT. BABY KRISHNA
AGE: MAJOR
MEMBER
ALLAMPURA GRAM PANCHAYATH
CHIKMAGALUR TALUK
CHIKMAGALURU DISTRICT-577 101

7. SMT. MEENAKSHI JAGADEESH
AGE: MAJOR
MEMBER
ALLAMPURA GRAM PANCHAYATH
CHIKMAGALUR TALUK
CHIKMAGALURU DISTRICT-577 101
8. SMT. LEELA PARAMESH
AGE: MAJOR
MEMBER
ALLAMPURA GRAM PANCHAYATH
CHIKMAGALUR TALUK
CHIKMAGALURU DISTRICT-577 101
9. SRI. B. P. HALESH
AGE: MAJOR
MEMBER
ALLAMPURA GRAM PANCHAYATH
CHIKMAGALUR TALUK,
CHIKMAGALURU DISTRICT-577 101
10. SRI. D. RAVI
AGE: MAJOR
MEMBER
ALLAMPURA GRAM PANCHAYATH
CHIKMAGALUR TALUK
CHIKMAGALURU DISTRICT-577 101
11. SRI. B. PRADEEP
AGE: MAJOR
MEMBER
ALLAMPURA GRAM PANCHAYATH
CHIKMAGALUR TALUK
CHIKMAGALURU DISTRICT-577 101
12. SRI. N. GOPALAKRISHNA
AGE: MAJOR
MEMBER
ALLAMPURA GRAM PANCHAYATH
CHIKMAGALUR TALUK
CHIKMAGALURU DISTRICT-577 101

13. SRI. RAMESHA. M
AGE: MAJOR
MEMBER
ALLAMPURA GRAM PANCHAYATH
CHIKMAGALUR TALUK
CHIKMAGALURU DISTRICT-577 101

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2,
SRI K.B.ONKARA, ADVOCATE FOR R3,
VIDE ORDER DATED: 22.03.2018 SERVICE OF
NOTICE TO R4 TO R13 IS DISPENSED WITH)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO ALLOW THE APPEAL BY SETTING
ASIDE THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED
SINGLE JUDGE IN WP NOS.3541/2018 & 4130/2018 [LB-RES].

IN W.A. NO. 951/2018

BETWEEN

SMT. SHARADA M.S.
W/O GOPAL D
AGED 49 YEARS
R/A ARISHINAGUPPE VILLAGE
CHIKMAGALUR TALUK
CHIKMAGALUR DIST-577 101

... APPELLANT

(BY SRI PRAKASH M.H., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REP. BY THE PRINCIPAL SECRETARY

DEPARTMENT OF PANCHAYATH RAJ
M.S. BUILDING, AMBEDKAR STREET
BANGALORE-560001

2. THE ASSISTANT COMMISSIONER
CHIKMAGALUR, REVENUE SUB-DIVISION
CHIKMAGALUR DIST-577101
3. DASARAHALLI GRAM PANCHAYATH
CHIKMAGALUR TALUK
REP. BY THE PANCHAYATH
DEVELOPMENT OFFICER
CHIKMAGALUR TALUK & DIST-577101
4. M.B. SATHISH
AGE: MAJOR
MEMBER, DASRAHALLI
GRAM PANCHAYATH
CHIKMAGALUR TALUK
CHIKMAGALUR DIST-577101
5. H.N. CHANDRASHEKHAR
AGE: MAJOR
MEMBER, DASARAHALLI GRAM PANCHAYATH
CHIKMAGALUR TALUK
CHIKMAGALUR DIST-577101
6. SMT. RADHAMMA
AGE: MAJOR
MEMBER, DASARAHALLI
GRAM PANCHAYATH
CHIKMAGALUR TALUK
CHIKMAGALUR DIST-577101
7. SMT SHOBHA J.D.
AGE: MAJOR
MEMBER, DASARAHALLI
GRAMA PANCHAYATH
CHIKMAGALUR TALUK
CHIKMAGALUR DIST-577101

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2,
SRI K.B.ONKARA, ADVOCATE FOR R3 &
VIDE ORDER DATED: 22.03.2018 SERVICE OF
NOTICE TO R4 TO R7 IS DISPENSED WITH)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO ALLOW THE APPEAL BY SETTING ASIDE
THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED SINGLE
JUDGE IN WP NO.5027/2018 [LB-RES].

IN W.A. NO. 957/2018

BETWEEN

SRI VENKATAPPA @
VENKATAPPA NAIDU
S/O ANNAPPA NAIDU
AGED ABOUT 55 YEARS
R/A KANGANDLAHALLI VILLAGE
KYASAMBALLI HOBLI
BANGARAPET TALUK
KOLAR DISTRICT-563 116

... APPELLANT

(BY SRI M. SHIVAPRAKASH, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS CHIEF SECRETARY
VIDHANA SOUDHA
BANGALORE-560001
2. THE PRINCIPAL SECRETARY
DEPARTMENT OF PANCHAYAT
RAJ RURAL DEVELOPMENT
STATE OF KARNATAKA
VIKASA SOUDHA, BANGALORE-560001

3. THE ASSISTANT COMMISSIONER
KOLAR SUB DIVISION, KOLAR-563101
4. THE KANGANDLAHALLI GRAMA PANCHAYAT
KANGANDLAHALLI
REP. BY ITS PANCHAYAT DEVELOPMENT OFFICER
KANGADLAHALLI, BANGARPET TALUK
KOLAR DISTRICT-563116

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 TO R3)
SRI M.PRADEEP, ADVOCATE FOR R4 &
SRI M. NARAYANA REDDY, ADVOCATE FOR R4 -- VK FILED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE ORDER PASSED IN WP
NO.6532/2018 DATED 28/02/2018 ON THE FILE OF LEARNED SINGLE
JUDGE, CONSEQUENTLY ALLOW THE WRIT PETITION AND QUASH
THE IMPUGNED NOTICE AND PROCEEDINGS.

IN W.A. NO. 960/2018

BETWEEN

SMT. REKHA CHIKKERI
AGED ABOUT 28 YEARS
W/O MAHADEVA
WORKING AS PRESIDENT
GRAMA PANCHAYATH RAMMANA HALLI
TALUK & DISTRICT MYSORE
R/O NO.271,KARIKALLI BEEDHI
1ST BLOCK,RAMMANAHALLI
MYSORE-570 019

... APPELLANT

(BY SRI CHANDRAKANTH R GOULAY, ADVOCATE)
AND

1. THE STATE OF KARNATAKA
REP. BY ITS SECRETARY

DEPARTMENT OF RURAL DEVELOPMENT &
PANCHAYARAJ
M.S.BUILDING
BENGALURU-560 001

2. THE ASSISTANT COMMISSIONER
MYSORE SUB DIVISION
MYSURU-570 019

... RESPONDENTS

(BY SRI.A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE MADE IN WP NO.5882/2018 DATED 28/02/2018 IN SO FAR AS IT RELATES TO THIS APPELLANT AND TO ALLOW THE WRIT APPEAL IN ITS ENTIRETY AND TO PASS APPROPRIATE SUITABLE ORDER.

IN W.A. NO. 961/2018

BETWEEN

SMT. GEETHA RAJASHEKAR
W/O RAJASHEKHAR
AGED ABOUT 32 YEARS
WORKING AS VICE PRESIDENT
GRAMA PANCHAYATH RAMMANA HALLI
TALUK AND DISTRICT MYSORE
RESIDENT OF 685,
MAHADEVAPURA MAIN ROAD
RAMMANAHALLI MAIN ROAD
MYSORE-570018

... APPELLANT

(BY SRI CHANDRAKANTH R. GOULAY, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REP. BY ITS SECRETARY
DEPARTMENT OF RURAL DEVELOPMENT &
PANCHAYARAJ
M.S.BUILDING
BENGALURU-560001
2. THE ASSISTANT COMMISSIONER
MYSORE SUB DIVISION
MYSURU-570018

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE MADE IN WF NO.5884/2018 DATED 28/02/2018 IN SO FAR AS IT RELATES TO THIS APPELLANT AND TO ALLOW THE WRIT APPEAL IN ITS ENTIRETY AND TO PASS APPROPRIATE SUITABLE ORDER.

IN W.A. NO. 979/2018

BETWEEN

SMT. BASAMMA
W/O GOWDLAR MURUGENDRAPPA
AGED ABOUT 55 YEARS
PRESIDENT, NUGGIHALLY GRAMA PANCHAYATH
R/AT NUGGIHALLY, NEETHIGERE POST
CHANNAGIRI TALUK,
DAVANAGERE DISTRICT
PIN CODE:577 215

... APPELLANT

(BY SRI MAHESH R UPPIN, ADVOCATE)

AND

1. STATE OF KARNATAKA
DEPARTMENT OF RURAL DEVELOPMENT &
PANCHAYATH RAJ
REPRESENTED BY ITS PRINCIPAL SECRETARY
M.S. BUILDING
BANGALORE-560 001
2. THE ASSISTANT COMMISSIONER
DAVANAGERE SUB-DIVISION
DAVANAGERE DISTRICT
PIN CODE-577 002
3. THE SECRETARY/PANCHAYATH
DEVELOPMENT OFFICER
NUGGIHALLY GRAMA PANCHAYATH
CHANNAGIRI TALUK
DAVANAGERE DISTRICT
PIN CODE-577 215.

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL AW
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI RAGHUNANDAN M.G., ADVOCATE FOR R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO ALLOW THE APPEAL, BY SETTING ASIDE
THE ORDER DATED 28/02/2018 IN WP NO.6234/2018 [LB-RES]
PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE
COURT AND GRANT THE PRAYERS AS PRAYED FOR IN THE WRIT
PETITION NO.6234/2018 [LB-RES].

IN W.A. NO. 982/2018

BETWEEN

SRI K. JAGADEESH
S/O R. KAMBANNA

AGED ABOUT 35 YEARS
VICE PRESIDENT
YERABALLI GRAMA PANCHAYATH
R/AT KANDIKERE VILLAGE
IMANGALA HOBLI
HIRIYUR TALUK
CHITRADURGA DISTRICT -577545

... APPELLANT

(BY SRI H.K. KENCHEGOWDA, ADVOCATE)

AND

1. STATE OF KARNATAKA
DEPARTMENT OF RURAL DEVELOPEMNT &
PANCHAYATH RAJ
REPRESENTED BY ITS PRINCIPAL SECRETARY
M.S. BUILDING
BANGALORE-560 001
2. THE DEPUTY COMMISSIONER
CHITRADURGA
CHITRADURGA DISTRICT-577501
3. THE ASSISTANT COMMISSIONER
CHITRADURGA SUB-DIVSIION
CHITRADURGA DISTRICT -577 501
4. THE SECRETARY/PANCHAYATH
DEVELOPMENT OFFICER
YARABALLI GRAMA PANCHAYATH
HIRIYUR TALUK
CHITRADURGA DISTRICT-577 545

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1-R3 AND
SRI M.R. MAHESH, ADVOCATE FOR R4 – VK FILED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO ALLOW THE APPEAL, BY SETTING ASIDE
THE ORDER DATED 28/02/2018 IN WP NO.5395/2018 [LB-RES]

PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT AND GRANT THE PRAYERS AS PRAYED FOR IN THE WRIT PETITION NO.5395/2018 [LB-RES].

IN W.A. NO. 989/2018

BETWEEN

SMT. SUMITHRA
W/O. NAGARAJU
AGED ABOUT 33 YEARS
R/AT CHORADI
SHIVAMOGGA DISTRICT
PIN-577 423

... APPELLANT

(BY SRI ARUN A. GADAG, ADVOCATE)

AND

1. STATE OF KARNATAKA
DEPARTMENT OF PANCHAYATH RAJ AND
RURAL DEVELOPMENT
VIDHANA SOUDHA
BANGALORE-560 001
BY ITS PRINCIPAL SECRETARY
2. THE ASSISTANT COMMISSIONER
SHIVAMOGGA DISTRICT-577201
3. CHORADI GRAMA PANCHAYAT
SHIVAMOGGA DISTRICT AND TALUK
PIN-577 423

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI H.VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI R. SHARATH CHANDRA, ADVOCATE FOR R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO ALLOW THE APPEAL AND PASS THE

FOLLOWING ORDERS. SET ASIDE THE ORDER DATED 28/02/2018
PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.
5911/2018 [LB-RES].

IN W.A. NO. 990/2018

BETWEEN

SMT. SHYAMALA T.B.
AGED 35 YEARS
JAVALI GRAMA PANCHAYATH
R/AT PURADAMAKKI
JAVALI POST
MUDIGERE TALUK
CHIKKAMAGALURU DISTRICT-577132

... APPELLANT

(BY SRI LOHITASWA BANAKAR, ADVOCATE)

AND

1. STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
VIKASA SOUDHA, AMBEDKAR VEEDHI
BANGALORE-560 001
BY ITS SECREARY
2. THE ASSISTANT COMMISSIONER
CHIKKAMAGALUR DISTRICT
CHIKKAMAGALUR-577132
3. THE PANCHAYATH DEVELOPMENT OFFICER
JAVALI GRAMA PANCHAYATH
MUDIGERE TALUK
CHIKKAMAGALURU DISTRICT-577132
4. THE ASST. EXECUTIVE ENGINEER
OFFICE OF THE PWD AND INSLAND
WATE TRANSPORT
MUDIGERE, MUDIGERE TALUK
CHIKKAMAGALURU DISTRICT-577132

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2,
SRI K.B.ONKARA, ADVOCATE FOR R3 &
R4 - SERVED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO ALLOW THE APPEAL BY SETTING ASIDE
THE ORDER DATED 08/03/2018 PASSED BY THE LEARNED SINGLE
JUDGE IN WP NO.8678/2018 [LB-RES].

IN W.A. NO. 993/2018

BETWEEN

SMT. THIPPAMMA
W/O VADRABASAPPA
AGED ABOUT 52 YEARS
KONDLAHALLI VILLAGE
MOLLKALMUR TALUK
CHITRADURGA DISTRICT

... APPELLANT

(BY SRI DEEPAK J., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
PANCHAYATH RAJ DEPARTMENT AND
RURAL DEVELOPMENT
VIDHANA SOUDHA
BENGALURU-560 001
BY ITS SECRETARY
2. THE ASSISTANT COMMISSIONER
CHITRADURGA SUB DIVISION
CHITRADURGA-577501
3. KONDLAHALLI GRAMA PANCHAYAT
KONDLAHALLI
MOLLKALMUR TALUQ

CHITRADURGA DISTRICT-577535
REPRESENTED BY ITS
PANCHAYATH DEVELOPMENT OFFICER

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2)
SRI M PRADEEP, ADVOCATE FOR R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 28/02/2018 IN WP NO.8296/2018 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT AND TO ALLOW THE WRIT PETITION FILED BY THE PETITIONER/APPELLANT IN WP NO.8296/2018 BEFORE THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT.

IN W.A. NO. 1003/2018

BETWEEN

SMT. S. ANILAMMA
W/O RANGASWAMY
AGED ABOUT 39 YEARS
PRESIDENT, VANI VILAS PURA GRAMA PANCHAYATH
AMMANAHATTI
KURUBARAHALLI POST
HIRIYUR TALUK
CHITRADURGA DISTRICT
PIN CODE: 577 599

... APPELLANT

(BY SRI H.K. KENCHEGOWDA, ADVOCATE)

AND

1. STATE OF KARNATAKA
DEPARTMENT OF RURAL DEVELOPMENT &
PANCHAYATH RAJ
REPRESENTED BY ITS PRINCIPAL SECRETARY
M.S. BUILDING
BANGALORE - 560001

2. THE ASSISTANT COMMISSIONER
CHITRADURGA SUB-DIVISION
CHITRADURGA DISTRICT
PIN CODE: 577501
3. THE SECRETARY / PANCHAYATH
DEVELOPMENT OFFICER
VANI VILAS PURA GRAMA PANCHAYATH
HIRIYUR TALUK
CHITRADURGA DISTRICT
PIN CODE: 577599

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI D.V. GIRISH, ADVOCATE FOR R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO ALLOW THE APPEAL, BY SETTING ASIDE
THE ORDER DATED 28/02/2018 IN WP NO.3848/2018 [LB-ELE]
PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE
COURT AND GRANT THE PRAYERS AS PRAYED FOR IN THE WRIT
PETITION NO.3848/2018 [LB-ELE].

IN W.A. NO. 1010/2018

BETWEEN

SMT. RENUKAMMA
W/O SHIVAMURTHY
AGED 40 YEARS
ADHYAKSHA
MATHIKOTE GRAMA PANCHAYAT
R/O MATHIKOTE,
SHIKARIPURA TALUK
SHIVAMOGGA DISTRICT-577 427

... APPELLANT

(BY SRI MAHESH R. UPPIN, ADVOCATE)

AND

1. STATE OF KARNATAKA
BY ITS SECRETARY TO
THE DEPARTMENT OF RURAL DEVELOPMENT
& PANCHAYAT RAJ
M.S.BUILDING
BANGALORE-560 001
2. ASSISTANT COMMISSIONER
SAGAR SUB-DIVISION
SAGAR-577 401
3. MATHIKOTE GRAMA PANCHAYAT
MATHIKOTE, SAGAR TALUK
SHIVAMOGGA DISTRICT-577 430
BY ITS PANCHAYAT DEVELOPMENT OFFICER
... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI M. PRADEEP, ADVOCATE FOR R3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 16/03/2018
PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.11869/2018
AND ALLOW THIS WRIT APPEAL.

IN W.A. NO. 1014/2018

BETWEEN

SMT. CHOWDAMMA
W/O THIPPESWAMY
AGED ABOUT 58 YEARS
ADHYAKSHA/PRESIDENT
DONNEHALLI VILLAGE PANCHAYAT
R/O HOSALLI VILLAGE

JAGALURU TALUK
DAVANAGERE DISTRICT-577 528.

... APPELLANT

(BY SRI M.R. RAJAGOPAL, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
BY ITS SECRETARY
DEPARTMENT OF PANCHAYAT RAJ
& RURAL DEVELOPMENT
VIKASA SOUDHA
BENGALURU-560 001
2. THE ASSISTANT COMMISSIONER
HARAPANAHALLI SUB DIVISION
HARAPANAHALLI-583 101
DAVANAGERE DISTRICT
3. THE ZILLA PANCHAYAT
DAVANAGERE DISTRICT
LOKIKERE ROAD
DAVANAGERE-577 002
BY ITS CHIEF EXECUTIVE OFFICER
4. THE TALUK PANCHAYAT
JAGALURU TALUK
JAGALURU BIDAREKERE ROAD
JAGALURU-577 528
DAVANAGERE DISTRICT
BY ITS EXECUTIVE OFFICER
5. THE PANCHAYAT DEVELOPMENT OFFICER
DONNEHALLI VILLAGE PANCHAYAT
DONNEHALLI
JAGALURU TALUK
DAVANAGERE DISTRICT-577 528
6. SRI NAGARAJA G.T.
S/O THIPPANNA
AGED 35 YEARS

R/AT MARENAHALLI VILLGE & POST
JAGALURU TALUK-577 528
DAVANAGERE DISTRICT

7. SMT.PUSHPALATHA
W/O RAJAIAH
AGED ABOUT 45 YEARS
R/AT DONNEHALLI VILLGE & POST
JAGALURU TALUK-577 528
DAVANAGERE DISTRICT
8. SMT. ANJANAMMA
W/O CHANDRASHEKAR
AGED ABOUT 35 YEARS
R/AT MARENAHALLI VILLAGE & POST
JAGALURU TALUK-577 528
DAVANAGERE DISTRICT
9. SRI K.BASAVARAJA
S/O KRISHNAPPA
AGE ABOUT 45 YEARS
R/AT DONNEHALLI VILLAGE & POST
JAGALURU TALUK-577 528
DAVANAGERE DISTRICT
10. SMT. R.BHARATHAMMA
W/O MALLIKARJUNA
AGED ABOUT 32 YEARS
R/O BANGAPAKKANA GUDDA
JAGALURU TALUK-577 528
DAVANAGERE DISTRICT
11. SRI K.BASAVARAJA
S/O KRISHNAPPA
AGE ABOUT 33 YEARS
R/AT DONNEHALLI VILLAE & POST
JAGALURU TALUK-577 528
DAVANAGERE DISTRICT
12. SRI H.THIPPESWAMY
S/O HAMPAPPAN

AGED ABOUT 39 YEARS
R/AT DONNEHALLI VILLAGE & POST
JAGALURU TALUK-577 528
DAVANAGERE DISTRICT

13. SMT. THIPPAMMA
W/O DURGAPPA MACHIKERE
MAJOR IN AGE
R/AT DONNEHALLI VILLAGE & POST
JAGALURU TALUK-577 528
DAVANAGERE DISTRICT
14. SRI H.T.NAGARAJA
S/O THIMMASWTTY
AGED ABOUT 30 YEARS
R/AT DONNEHALLI VILLAGE & POST
JAGALURU TALUK-577 528
DAVANAGERE DISTRICT
15. SMT. MANJAMMA
W/O RUDRAMUNIYAPA
AGED ABOUT 55 YEARS
R/AT DONNEHALLI VILLAGE & POST
JAGALURU TALUK-577 528
DAVANAGERE DISTRICT
16. SMT. BHAGYAMMA
W/O NAGENDRAPPA
AGED ABOUT 46 YEARS
R/AT MARENAHALLI VILLAGE & POST
JAGALURU TALUK-577 528
DAVANAGERE DISTRICT
17. SMT. PALAMMA
W/O BASANNA
AGED ABOUT 40 YEARS
R/AT HONNAMARADI VILLAGE
DONNEHALLI POST
JAGALURU TALUK-577 528
DAVANAGERE DISTRICT

18. SMT. K.B.MANGALAMMA
W/O K.R.MANJUNATHA
AGED ABOUT 55 YEARS
R/AT DONNEHALLI VILLAGE & POST
JAGALURU TALUK-577 528
DAVANAGERE DISTRICT

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2
SRI N.R. JAGADEESHWARA, ADVOCATE FOR R3-R5 &
SRI VISHWAJITH SHETTY, ADVOCATE FOR R6-R18)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE INTERIM ORDER DATED
09/03/2018 PASSED BY THE LEARNED SINGLE JUDGE IN WP
NO.10120/2018 & CONSEQUENTLY GRANT THE INTERIM PRAYER
AS SOUGHT FOR IN THE WRIT PETITION.

IN W.A. NO. 1015/2018

BETWEEN

SMT. I.M. CHAITHRA
W/O B. BASAVARAJU I.M.
AGED ABOUT 30 YEARS
ADHYAKSHA
ADAVIHALLI VILLAGE PANCHAYAT
R/O ADAVIHALLI POST
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT-581 313

... APPELLANT

(BY SRI RAJAGOPAL M.R., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
BY ITS SECRETARY
DEPARTMENT OF PANCHAYAT RAJ
& RURAL DEVELOPMENT

VIKASA SOUDHA,
BENGALURU - 560 001

2. THE ASSISTANT COMMISSIONER
HARAPANAHALLI SUB-DIVISION
HARAPANAHALLI
DAVANAGERE DISTRICT - 583 131
3. THE ZILLA PANCHAYAT
DAVANAGERE DISTRICT
LOKIKERE ROAD
DAVANAGERE BY ITS
CHIEF EXECUTIVE OFFICER - 577 005.
4. THE TALUK PANCHAYAT
HARAPANAHALLI TALUK,
HARAPANAHALLI,
DAVANAGERE DISTRICT
BY ITS EXECUTIVE OFFICER - 583 131.
5. THE PANCHAYAT DEVELOPMENT OFFICER
ADAVIHALLI VILLAGE PANCHAYAT
ADAVIHALLI, HARAPANAHALLI TALUK
DAVANAGERE DISTRICT - 583 131
6. SMT. MEENAKSHI
W/O H RAJAPPA
AGED ABOUT 30 YEARS
R/O ADAVIHALLI
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT - 583 131
7. SRI H.G. KENCHAPPA
W/O DODAKENCHAPPA
AGED ABOUT 70 YEARS
R/O THIPPANAYAKANAHALLI VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT - 583 131
8. SMT. G. GANGAMMA
W/O HALAPPA

AGED ABOUT 30 YEARS
R/O THIPPANAYAKANAHALLI VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT - 583 131

9. SMT. C. SHANTHAMMA
W/O KARIBASAPPA
AGED ABOUT 30 YEARS
R/O THIPPANAYAKANAHALLI VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT - 583 131
10. SRI KOTRAPPA
W/O H. UDDAPPA
AGED ABOUT 40 YEARS
R/O DEVARATHIMLAPURA VILLAGE
HARAPANAHALLI TALUK,
DAVANAGERE DISTRICT - 583 131
11. SRI KORAVARAHANUMANTHAPPA
S/O RAMAPPA
AGED ABOUT 38 YEARS
R/O DEVARATHIMLAPURA VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT - 583 131
12. SMT. GUDDIDARASARASHANTHAMMA
W/O KENCHAPPA
AGED ABOUT 35 YEARS
R/O DEVARATHIMLAPURA VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT - 583 131
13. SRI SANNANINGAPPA
S/O MAHALINGAPPA
AGED ABOUT 45 YEARS
R/O DEVARATHIMLAPURA VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT - 583 131

14. SRI KOTRAPPA
S/O HALAPPA
AGED ABOUT 55 YEARS
R/O NICHHAPURA VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT - 583 131
15. SMT. JAYAMMA
W/O HANUMANTHAPPA
AGED ABOUT 38 YEARS
R/O NICHHAPURA VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT - 583 131
16. SRI AHANADMOULASAB
S/O MOULASAB
AGED ABOUT 40 YEARS
R/O HOMBLAGATTE-1 VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT - 583 131
17. SMT. ASHABI
W/O RAHAMATHULLAH
AGED ABOUT 34 YEARS
R/O HOMBLAGATTE-2 VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT - 583 131
18. SRI FAZULLAH
S/O MAKARABBIYUB SAB
AGED ABOUT 42 YEARS
R/O HOMBLAGATTE-2 VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT - 583 131

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2
SRI N.R. JAGADEESHWARA, ADVOCATE FOR R3 & R4,
SRI M. PRADEEP, ADVOCATE FOR R5 &
SRI CHANDRASHEKAR P. PATIL, ADVOCATE FOR R6-R18)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE INTERIM ORDER DATED 12/3/2018 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO. 10786/2018. CONSEQUENTLY GRANT THE INTERIM PRAYER AS SOUGHT FOR IN THE WRIT PETITION.

IN W.A. NO. 1016/2018

BETWEEN

SRI PRASANNA K.N.
S/O NANJUNDA GOWDA
AGED ABOUT 46 YEARS
R/AT DODDAKARI VILLAGE
BETHAMANGALA HOBLI
BANGARAPET TALUK
KOLAR DISTRICT-563116

... APPELLANT

(BY SRI M. SHIVAPRAKASH, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS CHIEF SECRETARY
VIDHANA SOUDHA
BANGALORE-560001
2. THE PRINCIPAL SECRETARY
DEPARTMENT OF PANCHAYAT RAJ-
RURAL DEVELOPMENT
STATE OF KARNATAKA,
VIKASA SOUDHA,
BANGALORE-560001.
3. THE ASSISTANT COMMISSIONER
KOLAR SUB DIVISION
KOLAR-563101

4. THE HULKUR GRAMA PANCHAYAT
REP. BY ITS PANCHAYAT DEVELOPMENT OFFICER
HULKUR, BETHAMANGALA HOBLI
BANGARPET TALUK
KOLAR DISTRICT-563116

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL AW/
SRI VENKATESH DODDERI, AGA FOR R1-R3 &
SRI M. NARAYANA REDDY, ADVOCATE FOR R4 – VK FILED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE ORDER PASSED IN WP
NO.10749/2018 DATED 12/03/2018 ON THE FILE OF LEARNED
SINGLE JUDGE, CONSEQUENTLY ALLOW THE WRIT PETITION AND
QUASH THE IMPUGNED NOTICE AND PROCEEDINGS.

IN W.A. NO. 1060/2018

BETWEEN

SMT. RENUKAMMA
W/O B. KALESHAPPA
AGED ABOUT 45 YEARS
ADHYAKSHA
KOOLAHALLI VILLAGE PANCHAYAT
R/O BANDRI VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT-583 131

... APPELLANT

(BY SRI M.R. RAJAGOPAL, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
BY ITS SECRETARY
DEPARTMENT OF PANCHAYAT RAJ
& RURAL DEVELOPMENT
VIKASA SOUDHA
BENGALURU-560 001

2. THE ASSISTANT COMMISSIONER
HARAPANAHALLI SUB DIVISION
HARAPANAHALLI
DAVANAGERE DISTRICT
3. THE ZILLA PANCHAYATH
DAVANAGERE DISTRICT
LOKIKERE ROAD
DAVANAGERE-583 131
BY ITS CHIEF EXECUTIVE OFFICER
4. THE TALUK PANCHAYAT
HARAPANAHALLI TALUK
HARAPANAHALLI
DAVANAGERE DISTRICT
BY ITS EXECUTIVE OFFICER-583 131
5. THE PANCHAYAT DEVELOPMENT OFFICER
KOOLAHALLI VILLAGE PANCHAYAT
KOOLAHALLI, HARAPANAHALLI TALUK
DAVANAGERE DISTRICT-583 131
6. SMT.SUMITHRABAI
W/O GAJAPATHINAIAK
AGED ABOUT 35 YEARS
R/O 12TH WARD, GUDIKATTEKERI
HARAPANAHALLI TOWN
DAVANAGERE DISTRICT-583 131
7. SMT. AMBLI PARAVVA
W/O CHANNABASAPPA
AGED ABOUT 48 YEARS
R/O KOOLAHALLI VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT-583 131
8. SMT. S. MANJULA
W/O S. MANJUNATHA
AGED ABOUT 32 YEARS
R/O KOOLAHALLI VILLAGE

HARAPANAHALLI TALUK
DAVANAGERE DISTRICT-583 131

9. SRI M. MANJUNATHA
S/O M. NAGAPPA
AGED ABOUT 40 YEARS
R/O CHIKKAHALLI VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT-583 131
10. SMT. H. BASAMMA
W/O H. RAJAPPA
AGED ABOUT 38 YEARS
R/O ARADETTINAHALLI VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT-583 131
11. SMT. B. CHANDRAMMA
W/O BANAKARA KENCHAPPA
AGED ABOUT 45 YEARS
R/O ARADETTINAHALLI VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT-583 131
12. SRI. GOWDRA MANJAPPA
S/O GOWDA BASAPPA
AGED ABOUT 52 YEARS
R/O MADAPURA VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT-583 131
13. SRI. AMBLI GOOLAPPA
S/O BADA KAPPA
AGED ABOUT 35 YEARS
R/O KOOLAHALLI VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT-583 131
14. SMT. BOVI HIRIYAVVA
W/O BOVI BASAPPA
AGED ABOUT 38 YEARS

R/O KOOLAHALLI VILLAGE
HARAPANAHALLI TALUK
DAVANAGERE DISTRICT-583 131

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2,
SRI N.R. JAGADEESHWARA, ADVOCATE FOR R3 & R5,
SRI CHANDRASHEKAR P. PATIL, ADVOCATE FOR R6-R14 &
R4 - SERVED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE INTERIM ORDER DATED
12/3/2018 PASSED BY THE LEARNED SINGLE JUDGE IN WP
10251/2018. CONSEQUENTLY GRANT THE INTERIM PRAYER AS
SOUGHT FOR IN THE WRIT PETITION.

IN W.A. NOS. 1062-1063/2018

BETWEEN

1. SMT. MAMATHA
W/O YOGESHA
AGED ABOUT 35 YEARS
PRESIDENT: GOVINDANAHALLI
GRAMA PANCHAYATH
CHANNASOGE VILLAGE
THATTEKERE POST
HANAGODU HOBLI,
HUNSUR TALUK
MYSURU DISTRICT - 571 105
2. SRI SURESHA
AGED ABOUT 40 YEARS
S/O NANJAPPACHAR H.T.
VICE PRESIDENT: GOVINDANAHALLI
GRAMA PANCHAYATH
HANCHYA VILLAGE
NELLUR PALA POST
KASABA HOBLI,

HUNSUR TALUK
MYSURU DISTRICT - 571 105

... APPELLANTS

(BY SRI SANGAMESH R.B., ADVOCATE)

AND

1. STATE OF KARNATAKA
DEPARTMENT OF RURAL DEVELOPMENT
AND PANCHAYATH RAJ
M.S. BUILDING
BENGALURU - 560 001
REPRESENTED BY ITS SECRETARY
2. THE ASSISTANT COMMISSIONER
HUNSUR SUB-DIVISION
HUNSUR, MYSURU DISTRICT - 571 105
3. GOVINDAHALLI GRAMA PANCHAYATH
HUNSUR TALUK
MYSURU DISTRICT - 571 105
REPRESENTED BY ITS
PANCHAYATH DEVELOPMENT OFFICER

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI M. PRADEEP, ADVOCATE FOR R3)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO ALLOW THE APPEAL. SET ASIDE
THE ORDER DATED 28/02/2018 PASSED BY THE LEARNED SINGLE
JUDGE IN WRIT PETITION NOS.6377-6378/2018.

IN W.A. NO. 1064/2018

BETWEEN

SMT. RAJAMMA
W/O. MADEGOWDA

AGED ABOUT 59 YEARS
PRESIDENT: MAULLUR GRAMA PANCHAYATH
R/AT UNDAVADI VILLAGE AND POST
GAVADAGERE HOBLI
HUNSUR TALUK
MYSURU DISTRICT-571 105

... APPELLANT

(BY SRI SANGAMESH R.B., ADVOCATE)

AND

1. STATE OF KARNATAKA
DEPARTMENT OF RURAL DEVELOPMENT
AND PANCHAYATH RAJ
VIDHANA SOUDHA
BENGALURU-560 001
REPRESENTED BY ITS SECRETARY
2. THE ASSISTANT COMMISSIONER
HUNSUR DIVISION
HUNSUR
MYSURU DISTRICT-571 105
3. MALLUR GRAMA PANCHAYATH
HUNSUR TALUK
MYSURU DISTRICT-571 105
REPRESENTED BY ITS
PANCHAYATH DEVELOPMENT OFFICER

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
R3 - SERVED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO ALLOW THE APPEAL, SET ASIDE THE
ORDER DATED 28/2/2018 PASSED BY THE LEARNED SINGLE JUDGE
IN WRIT PETITION 6571/18 & ETC.

IN W.A. NO. 1065/2018

BETWEEN

SMT. GAYATRI
W/O. SRI NANJARAJU
AGED ABOUT 49 YEARS
R/AT: KATTEMALWADI POST
GAVADAGERE HOBLI
HUNSUR TALUK
MYSURU DISTRICT-571 134

... APPELLANT

(BY SRI SANGAMESH R.B., ADVOCATE)

AND

THE ASST. COMMISSIONER
HUNSUR SUB DIVISION
HUNSUR-571134

... RESPONDENT

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO ALLOW THE APPEAL SET ASIDE THE
ORDER DATED 27/2/2018 PASSED BY THE LEARNED SINGLE JUDGE
IN WRIT PETITION 8853/18 & ETC.

IN W.A. NO. 1073/2018

BETWEEN

SMT. LALITHA
W/O SRI. RUDRESH
ADHYAKSHA
AGED ABOUT 35 YEARS
KALIYUR GRAM PANCHAYAT
T. NARASIPUR TALUK

MYSURU DISTRICT-570001
(ADHYAKSHA, KALIYUR GRAM PANCHAYAT)

... APPELLANT

(BY SRI SANGAMESH R.B., ADVOCATE)

AND

1. STATE OF KARNATAKA
DEPARTMENT OF RURAL DEVELOPMENT
AND PANCHAYAT RAJ
M.S. BUILDING
BENGALURU-560 001
BY ITS SECRETARY
2. THE ASSISTANT COMMISSIONER
MYSURU SUB DIVISION,
MYSURU-570 001
3. THE EXECUTIVE OFFICER
TALUK PANCHAYAT
T. NARSIPUR TALUK
MYSURU DISTRICT
MYSURU-570 001
4. THE PANCHAYAT DEVELOPMENT OFFICER
KALIYUR GRAM PANCHAYAT
T. NARSIPUR TALUK
MYSURU DISTRICT-570 001

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2 AND
SRI B.J. SOMAYAJI, ADVOCATE FOR R3 & R4)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO ALLOW THE APPEAL, SET ASIDE THE
ORDER DATED 12/03/2018 PASSED BY THE LEARNED SINGLE
JUDGE IN WRIT PETITION NO.10839/2018.

IN W.A. NO. 1076/2018

BETWEEN

SMT. RATHNAMMA
W/O. VENKATESH
AGED ABOUT 30 YEARS
ADHYAKSHA DASHAVARA GRAMA PANCHAYATH
ABBUR DODDI VILLAGE
ABBUR POST
CHANNAPATANA TALUK
RAMANAGARA DISTRICT-562 108

... APPELLANT

(BY SRI S.R. HEGDE HUDLAMANE, ADVOCATE)

AND

1. ASSISTANT COMMISSIONER
RAMANAGARA SUB DIVISION
RAMANAGARA
RAMANAGARA DISTRICT-562 159
2. SRI M. BOREGOWDA
S/O. MADEGOWDA
AGED ABOUT 55 YEARS
3. SRI RAMAKRISHNA
S/O. CHIKKAMUDDEGOWDA
AGED ABOUT 48 YEARS
4. SRI GOVINDAIAH
S/O. THIMMAIAH
AGED ABOUT 47 YEARS
5. SRI VIJAYAKUMAR
S/O. PUTTASWAMY
AGED ABOUT 37 YEARS
6. RAJAMMA
S/O. SWAMY
AGED ABOUT 40 YEARS

7. GUNASHEELA
W/O. SATHYANARAYANA ACHARI
AGED ABOUT 42 YEARS
8. GEETHA
W/O. A. C. JAYASWAMY
AGED ABOUT 31 YEARS
9. SARASWATHAMMA
W/O.SHAMBULINGAIAH
AGED ABOUT 62 YEARS
10. PUSHPA
W/O.PARTHA
AGED ABOUT 37 YEARS

RESPONDENTS NO.2 TO 10 ARE
MEMBERS OF DHASHAVARA GRAMA PANCHAYATH
DHASHAVARA VILLAGE
RAMANAGARA TALUK
RAMANAGARA DISTRICT-562 108

11. PANCHAYATH DEVELOPMENT OFFICER
DHASHAVARA GRAMA PANCHAYATH
ABBUR DODDI VILLAGE
ABBUR POST
CHANNAPATANA TALUK
RAMANAGARA DISTRICT-562 108

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1,
SRI S.C. VIJAYAKUMAR, ADVOCATE FOR C/R2-R10 AND
SRI B.J. SOMAYAJI, ADVOCATE FOR R11)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE ORDER PASSED BY THE
LEARNED SINGLE JUDGE MADE IN SO FAR ITS RELATES
APPELLANT'S WRIT PETITION NO. 4375/2018 [LB-RES] DATED

28/2/2018, WHICH WAS DISPOSED OFF ALONG WITH CONNECTED WRIT PETITION NOs.1935-36/2018 AND CONNECTED CASES AND KINDLY ALLOW THE WRIT PETITION NO.4375/2018 [LB-RES] & ETC.

IN W.A. NO. 1080/2018

BETWEEN

SMT. SUMA. G,
W/O RAJANIKANTH
AGED ABOUT 35 YEARS
ADHYAKSHA
HULLEKERE VILLAGE PANCHAYAT
R/O SASALU VILLAGE
DANDINASHIVARA HOBLI
TURUVEKERE TALUK
TUMAKURU DISTRICT-572 131.

... APPELLANT

(BY SRI RAJU S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
BY ITS SECRETARY
DEPARTMENT OF PANCHAYAT RAJ
& RURAL DEVELOPMENT
VIKASA SOUDHA
BENGALURU-560001
2. THE ASSISTANT COMMISSIONER
TIPTUR SUB DIVISION , TIPTUR
TUMAKURU DISTRICT-572131
3. THE TALUK PANCHAYAT
TURUVEKERE TALUK
TURUVEKERE
TUMAKURU DISTRICT
BY ITS EXECUTIVE OFFICER-572131
4. HULLEKERE VILLAGE PANCHAYAT
HULLEKERE

TURUVEKERE TALUK
TUMAKURU DISTRICT-572131
BY ITS PANCHAYAT
DEVELOPMENT OFFICER

5. SMT. KEMPADEVAMMA
W/O RANGASWAMY
AGED ABOUT 38 YEARS
R/O JAKKANAHALLI VILLAGE
TURUVEKERE TALUK
TUMAKURU DISTRICT-572131
6. SRI SIDDARAMAIAH H.G.
S/O GANGADHARAI AH
AGED ABOUT 47 YEARS
R/O HULLEKERE VILLAGE
TURUVEKERE TALUK
TUMAKURU DISTRICT-572131
7. SRI LOKESHA H.C.
S/O LATE CHANNABASAPPA
AGED ABOUT 44 YEARS
R/O HATTIHALLI VILLAGE
TURUVEKERE TALUK
TUMAKURU DISTRICT-572131
3. SRI RANGASWAMY H R
S/O LATE RAMAKRISHNAIAH
AGED ABOUT 42 YEARS
R/O HULLEKERE VILLAGE
TURUVEKERE TALUK
TUMAKURU DISTRICT-572131
9. SRI HALESH M
S/O MALLIKARJUNAIAH
AGED ABOUT 36 YEARS
R/O G MANCHENAHALLI VILLAGE
KASABA HOBLI
TURUVEKERE TALUK
TUMAKURU DISTRICT-572131

10. SRI BABU
S/O M D HUSSAIN
AGED ABOUT 50 YEARS
R/O TURUVEKERE
TUMAKURU DISTRICT-572131
11. SMT. YASHODHA
W/O UMESH
AGED 37 YEARS
R/O RAMADIHALLI VILLAGE
TURUVEKERE TALUK
TUMAKURU DISTRICT-572131
12. SMT. YASHODAMMA
W/O CHANDRAIAH
AGED ABOUT 48 YEARS
R/O RAMADIHALLI VILLAGE
TURUVEKERE TALUK,
TUMAKURU DISTRICT-572131
13. SMT. PREMA
W/O GANGADHARAIH
AGED ABOUT 55 YEARS
R/O HULEKERE VILLAGE
TURUVEKERE TALUK
TUMAKURU DISTRICT-572131
14. SMT. SARALA
W/O RAJASHEKARAIH
AGED ABOUT 35 YEARS
R/O SARIGEHALLI VILLAGE
TURUVEKERE TALUK
TUMAKURU DISTRICT-572131
15. SMT. SHOBHA V
W/O KUMAR
AGED ABOUT 38 YEARS
R/O KOPPA VILLAGE
TURUVEKERE TALUK
TUMAKURU DISTRICT-572131

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2,
SRI M.B. CHANDRA CHOODA, ADVOCATE FOR R5, R7, R9-R11,
R14 & R15; AND R3, R4, R6, R8, R12 & R13 – SERVED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE INTERIM ORDER DATED
09/03/2018 PASSED BY THE LEARNED SINGLE JUDGE IN WP
NO.10836/2018, CONSEQUENTLY GRANT THE INTERIM PRAYER AS
SOUGHT FOR IN THE WRIT PETITION.

IN W.A. NO. 1253/2018

BETWEEN

SRI Y.C. SUPRITH KUMAR
S/O SRI CHIKKAVEERE GOWDA
AGED ABOUT 40 YEARS
RESIDENT OF YAMASANDHI VILLAGE
KASABA HOBLI, BELUR TALUK
HASSAN DISTRICT-573 115

... APPELLANT

(BY SRI P.P. HEGDE, ADVOCATE)

AND

1. THE ASSISTANT COMMISSIONER
SAKALESHAPURA SUB-DIVISION
SAKALESHAPURA
HASSAN DISTRICT
2. THE EXECUTIVE OFFICER
TALUK PANCHAYATH, BELUR TALUK
HASSAN DISTRICT-573115
3. PANCHAYATH DEVELOPMENT OFFICER
YAMASANDHI GRAMA PANCHAYATH
HASSAN DISTRICT-573115

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 &
R2 & R3 - SERVED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 03/04/2018
PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.13875/2018
[LB-RES] BY ALLOWING THIS WRIT APPEAL & ETC.

IN W.A. NOs. 1282-1283/2018

BETWEEN

1. SMT. GANGAMMA
W/O SRI CHOWDAPPA
AGED ABOUT 40 YEARS
R/AT T.GOLLAHALLI VILLAGE
BETHAMANGALA HOBLI
BANGARAPET TALUK
KOLAR DISTRICT-563116
2. SRI YOGANATH
S/O SRI MUNIYAPPA
AGED ABOUT 31 YEARS
R/AT NATHA VILLAGE
T.GOLLAHALLI POST
BETHAMANGALA HOBLI
BANGARAPET TALUK
KOLAR DISTRICT-563116

... APPELLANTS

(BY SRI M. SHIVAPRAKASH, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS CHIEF SECRETARY
VIDHANA SOUDHA
BANGALORE-560001

2. THE PRINCIPAL SECRETARY
DEPARTMENT OF PANCHAYAT RAJ
RURAL DEVELOPMENT
STATE OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
3. THE ASSISTANT COMMISSIONER
KOLAR SUB DIVISION, KOLAR-563101
4. THE T. GOLLAHALLI GRAMA PANCHAYAT
REP. BY ITS PANCHAYAT
DEVELOPMENT OFFICER
T. GOLLAHALLI, BETHAMANGALA HOBLI
BANGARPET TALUK
KOLAR DISTRICT-563116

... RESPONDENTS

(By SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 - R3 &
SRI M. PRADEEP, ADVOCATE FOR R4
SRI M. NARAYANA REDDY, ADVOCATE FOR R4 -VK FILED)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER PASSED IN
WP NOS.10750-51/2018 [LB-ELE] DATED 12/03/18 ON THE FILE OF
LEARNED SINGLE JUDGE, CONSEQUENTLY ALLOW THE WRIT
PETITION AND QUASH THE IMPUGNED NOTICE AND
PROCEEDINGS.

IN W.A. NO. 899/2018

BETWEEN

SMT. MANJULA
W/O BALARAJ, AGED ABOUT 28 YEARS
ADHYAKSHA
DIDDIGI VILLAGE PANCHAYAT
R/O UCHANGIPURA -2 VILLAGE

JAGALUR TALUK-577 513
DAVANAGERE DISTRICT

... APPELLANT

(BY SRI M.R. RAJAGOPAL, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
BY ITS PRINCIPAL SECRETARY
(PANCHAYAT RAJ)
DEPARTMENT OF RURAL DEVELOPMENT
AND PANCHAYAT RAJ
M.S. BUILDING, DR AMBEDKAR VEEDHI
BENGALURU-560001
2. THE ASSISTANT COMMISSIONER
HARAPANAHALLI SUB-DIVISION
HARAPANAHALLI, DAVANAGERE DISTRICT-583131
3. THE CHIEF EXECUTIVE OFFICER
ZILLA PANCHAYATH, LOKIKERE ROAD
DAVANAGERE-577002
4. THE EXECUTIVE OFFICER
JAGALUR TALUK PANCHAYATH
OPPOSITE TO MINI VIDHANA SOUDHA
BIDARAKERE ROAD, JAGALUR
DAVANAGERE DISTRICT-577528
5. THE SECRETARY
DIDDIGI VILLAGE PANCHAYATH
JAGALUR TALUK, DAVANAGERE DISTRICT-577528
6. THE INSPECTOR OF POLICE
BILICHODU POLICE STATION
JAGALUR TALUK-577528
DAVANAGERE DISTRICT
7. SMT R.P. VASANTHA
W/O PRAKASH
MAJOR IN AGE

PRESIDENT, DIDDIGE GRAMA PANCHAYAT
JAGALUR TALUK
DAVANAGERE DISTRICT-577528

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1, R2 & R6,
SRI N.R. JAGADEESHWARA, ADVOCATE FOR R3 &
R4 & R5 SERVED THROUGH HAND SUMMONS &
BY SRI K. ARAVIND KAMAT, ADVOCATE FOR C/R7)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 28/02/2018
PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.23311/2017,
CONSEQUENTLY ALLOW WP NO.23311/2017, CONSEQUENTLY
ALLOW WP NO.23311/2017, FILED BY THE APPELLANT HEREIN AS
PRAYED FOR.

IN W.A. NO. 1082/2018

BETWEEN

SMT. GOWRAMMA
W/O APPOBAIAH,
AGE:32 YEARS,
ADHYAKASHA,
HIREHALLI GRAMA PANCHAYAT,
R/O.PALANAYAKANA KOTE,
CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577529.

... APPELLANT

(BY SRI MAHESH R. UPPIN, ADVOCATE)

AND

1 STATE OF KARNATAKA
BY ITS SECRETARY TO THE
DEPARTMENT OF RURAL DEVELOPMENT &
PANCHAYAT RAJ, M.S.BUILDING,
BANGALORE-560001.

2. ASSISTANT COMMISSIONER
CHITRADURGA SUB-DIVISION,
CHITRADURGA-577501.
3. HIREHALLY GRAMA PANCHAYAT
HIREHALLY VILLAGE,
CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577529,
BY ITS SECRETARY.
4. B.T.BASAVARAJA
S/O R THIPPANNA, AGE 45 YEARS
HIREHALLI POST, CHALLAKERE TALUK
CHITRADURGA DISTRICT-577 529.
5. A.K RAJU
S/O A.K.OBAIAH, AGE 34 YEARS
HIREHALLI POST, CHALLAKERE TALUK
CHITRADURGA DISTRICT-577 529.
6. P.O OBAIAH
S/O PUJARI OBAIAH
AGE 36 YEARS
HIREHALLI POST, CHALLAKERE TALUK
CHITRADURGA DISTRICT-577529.

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 & R2,
SRI N.PRAVEEN KUMAR, ADVOCATE FOR R3,
SRI B.K.MANJUNATH, ADVOCATE FOR R4 TO R6)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET-ASIDE THE ORDER DATED 28/02/2018
PASSED BY THE LEARNED SINGLE JUDGE IN SO FAR AS IT
PERTAINS TO WP 3434/2018 [LB-RES] AND ALLOW THIS WRIT
APPEAL.

IN W.A. NO. 1224/2018

BETWEEN

SMT. GEETHA
W/O. K.S. PARASHURAM
AGED ABOUT 29 YEARS
PRESIDENT, ANEMAHAL GRAMA PANCHAYAT
RESIDING AT KALGANE VILLAGE
DHONIGAL POST, KASABA HOBLI
SAKALESHAPURA-573 134

... APPELLANT

(BY SRI P.P. HEGDE, ADVOCATE)

AND

THE ASSISTANT COMMISSIONER
SAKALESHPURA, SUB-DIVISION
SAKALESHAPURA-573 134

... RESPONDENT

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 06/04/2018 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.14208/2018 [LB-ELE] BY ALLOWING THIS WRIT APPEAL.

IN W.A. NO. 1254/2018

BETWEEN

SMT. SHRUTHI
W/O. GIRISH. T, AGED ABOUT 28 YEARS
KOOSGAL SARYA GRAMA
HONNEKODIGE POST
NARASIMHA RAJAPURA TALUK-577 101
CHIKKAMAGALUR DISTRICT

... APPELLANT

(BY SRI G.S. BALAGANGADHAR, ADVOCATE)

AND

1. THE ASSISTANT COMMISSIONER
TARIKERE SUB-DIVISION
TARIKERE-577101, CHIKKAMAGALUR DISTRICT
2. THE STATE OF KARNATAKA
BY ITS SECRETARY
DEPARTMENT OF PANCHAYATRAJ
AND RURAL DEVELOPMENT
VIKAS SOUDHA, BANGALORE-560001
3. THE PANCHAYAT DEVELOPMENT OFFICER
HONNEKODIGE GRAM PANCHAYAT
NARASIMHARAJAPURA TALUK
CHIKKAMAGALUR DISTRICT-577101
4. SRI. B.N. RAGHAVENDRA
S/O. NAGARAJA M
AGED ABOUT 28 YEARS
HANCHINAMANE, BILALUKOPPA GRAM
HONNEKODIGE POST
NAARASIMHARAJAPURA TALUK
CHIKKAMAGALUR DISTRICT-577101
5. SMT. SUMITHRA
W/O. SHESHAPPA
AGED ABOUT 31 YEARS
HANDOORU, HANDOORU GRAMA
HONNEKODIGE POST, NAARASIMHARAJAPURA TALUK
CHIKKAMAGALUR DISTRICT-577 101
6. SRI. VIJU P.E.
S/O. ETTIRA HANTHUVAANI
AGED ABOUT 44 YEARS
VARKATE GRAMA, HONNEKODIGE POST
NAARASIMHARAJAPURA TALUK
CHIKKAMAGALUR DISTRICT-577101.
7. SMT. SHIBI MARIYAMMA
W/O. PASKAL D'SOUZA

AGED ABOUT 37 YEARS
KODIGADDE, VARKATE GRAMA
HONNEKODIGE POST
NAARASIMHARAJAPURA TALUK
CHIKKAMAGALUR DISTRICT-577101.

8. SRI. K.T. SATISH
S/O. TAMMEGOWDA
AGED ABOUT 52 YEARS,
KUMBASALLOORU, HONNEKODIGE GRAMA
HONNEKODIGE POST
NAARASIMHARAJAPURA TALUK
CHIKKAMAGALUR DISTRICT-577101.
9. SMT. VEENA
W/O. GANGADHAR HANTHUVANI
AGED ABOUT 33 YEARS
HONNEKODIGE GRAMA, HONNEKODIGE POST
NAARASIMHARAJAPURA TALUK
CHIKKAMAGALUR DISTRICT-577101.

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL AW
SRI VENKATESH DODDERI, AGA FOR R1 & R2,
SRI K.B.ONKARA, ADVOCATE FOR R4 TO R7 & R9 AND
R3 & R8 SERVED WITH NOTICE)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT PRAYING TO SET ASIDE THE INTERIM ORDER DATED
5/4/2018 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT
PETITION No.14398/2018, CONSEQUENTLY GRANT THE INTERIM
PRAYER AS SOUGHT FOR IN THE WRIT PETITION.

IN W.A. NO. 1270/2018

BETWEEN

S. MADHUCHANDRA
S/O N. SEETHARAMAIAH,
AGED ABOUT 37 YEARS

PRESIDENT, BELAGULI GRAMAPANCHAYATH
BELAGULI VILLAGE, HANDANAKERE HOBLI
CHIKKANAYAKANAHALLI TALUK-572 214
TUMAKURU DISTRICT.

... APPELLANT

(BY SRI S.V. PRAKASH, ADVOCATE)

AND

1. ASSISTANT COMMISSIONER
TIPTURU SUB DIVISION
TIPTURU-572201, TUMAKURU DISTRICT.
2. BELAGULI GRAMAPANCHAYATH
HANDANAKERE HOBLI
CHIKKANAYAKANAHALLI TALUK-572214
TUMAKURU DISTRICT
REPRESENTED BY ITS SECRETARY/
PANCHAYATH DEVELOPMENT OFFICER

... RESPONDENTS

(BY SRI A.S.PONNANNA, ADDITIONAL ADVOCATE GENERAL A/W
SRI VENKATESH DODDERI, AGA FOR R1 &
R2 - SERVED WITH NOTICE)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 23/03/2018 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT IN WP NO.12423/2018 BY ALLOWING THIS WRIT APPEAL IN THE ENDS OF JUSTICE AND CONSEQUENTLY ALLOW THE WRIT PETITION IN WP NO.12423/2018 AS PRAYED FOR THEREIN.

THESE WRIT APPEALS HAVING BEEN HEARD AND RESERVED, COMING ON FOR PRONOUNCEMENT OF JUDGMENT, THIS DAY, **CHIEF JUSTICE** DELIVERED THE FOLLOWING:

JUDGMENT

Preliminary

1. These intra-court appeals, essentially involving similar questions relating to the provisions contained in Section 49 of the Karnataka Gram Swaraj and Panchayat Raj Act, 1993 ('the Act of 1993') and the motion of no-confidence brought thereunder, have been considered together; and are taken up for disposal by this common judgment.

2. In a brief outline of the subject matter of these appeals, it may be pointed out that most of the appeals in this group of matters are directed against the common order dated 28.02.2018, as passed in a batch of writ petitions led by W.P.Nos.1935-1936/2018 (LB-RES) wherein, the learned Single Judge of this Court, while rejecting the contentions against the validity of sub-section (2) of Section 49 of the Act of 1993 and against the legality of the proceedings for consideration of respective motions of no-confidence, declined to interfere with the impugned motions and notices of meetings for consideration of such motions of no-confidence; and in two writ petitions (W.P.Nos.3434/2018 and

3435/2018), allowed the Gram Panchayat concerned to go ahead with the meetings to be notified afresh for consideration of motion of no-confidence. A few other appeals (W.A.Nos. 990/2018, 1010/2018, 1016/2018, 1282-1283/2018 and 1270/2018) are directed against the orders subsequently passed by the learned Single Judge of this Court disposing of the respective writ petitions in terms of the aforesaid lead order dated 28.02.2018, while 8 other appeals in this group of matters (W.A.Nos.1014/2018, 1015/2018, 1060/2018, 1073/2018, 1080/2018, 1253/2018, 1224/2018 and 1254/2018) are directed against the interim orders passed by the learned Single Judge in pending writ petitions subsequent to the aforesaid lead order dated 28.02.2018, providing that the proceedings pursuant to the notices of such meetings for consideration of motion of no-confidence shall remain subject to the result of the writ petitions. One of the appeal in this group (W.A.No.1065/2018) is directed against the order dated 27.02.2018, whereby the learned Single Judge dismissed the writ petition only on the ground that the meeting for consideration of the motion of no-

confidence had already been convened and the proceedings stood concluded.

3. It may also be pointed out that in view of different stage and status of the proceedings related with these matters, this Court, while taking up these appeals for consideration, has passed different interim orders of the nature that the resolution of no-confidence passed were not to be given effect to and *status quo* as existing prior to passing of the resolution was to be maintained, whereas in some of these matters, it is also provided that the concerned appellant would not be taking any decision having financial implication as regards Panchayat in question, but may carry out necessary day to day activities. In some of the cases where meetings for consideration of motion of no-confidence or even for fresh election were to be convened, it was provided that the slated meetings may be proceeded with, but the resolution thereof shall not be given effect to.

4. Having regard to the circumstances of these cases and the questions involved, these intra-court appeals were taken up for

hearing in priority and we have heard multifarious arguments of the learned counsel appearing for the respective parties at length.

5. In essence, the questions on the validity of sub-section (2) of Section 49 and in the alternative, the interpretation of the provisions of Section 49 of the Act of 1993 are involved as the main plank in these matters. Hence, appropriate it would be to reproduce Section 49 of the Act of 1993 at the outset and as under:

“49. Motion of no-confidence against Adhyaksha or Upadhyaksha of Grama Panchayat.- (1) Every Adhyaksha or Upadhyaksha of Grama Panchayat shall forthwith be deemed to have vacated his office if a resolution expressing want of confidence in him is passed by a majority of not less than two thirds of the total number of members of the Grama Panchayat at a meeting specially convened for the purpose in accordance with the procedure as may be prescribed:

Provided that no such resolution shall be moved unless notice of the resolution is signed by not less than one-half¹ of the total number of members and at least ten days notice has been given of the intention to move the resolution:

²Provided further that no resolution expressing want of confidence against an Adhyaksha or Upadhyaksha, shall be moved within the first thirty months³ from the date of his election:

¹ Substituted for the words “one-third” by Karnataka Act No. 44 of 2015

² Second and Third provisos inserted by Karnataka Act No. 29 of 1997

³ Substituted for the words “within one year” by Karnataka Act No. 44 of 2015

Provided also that where a resolution expressing want of confidence in any Adhyaksha or Upadhyaksha has been considered and negatived by a Grama Panchayat a similar resolution in respect of the same Adhyaksha or Upadhyaksha shall not be given notice of, or moved, within two years⁴ from the date of the decision of the Grama Panchayat.

⁵(2) Notwithstanding anything contained in sub-section (1), no resolution expressing want of confidence against an Adhyaksha or Upadhyaksha, shall be moved except on specific allegation of misuse or abuse of power or authority in executing any scheme, action plan or direction of Government or project of the panchayat or of misappropriating funds or other assets of the panchayat during the term of his membership or otherwise indulging in corruption or misconduct in the course of exercising his functions".

Relevant facts and background:

6. Having regard to the questions involved in these matters, the Constitutional and Legislative background concerning the provisions in question could be taken note of, in brief, as follows:
With 73rd Amendment to the Constitution of India in the year 1992, a constitutional recognition came to be conferred on the Panchayats i.e., Grama Panchayats, Taluka Panchayats and Zilla Panchayats.

⁴ Substituted for the words "within two years" by Karnataka Act No. 44 of 2015

⁵ Sub-section (2) inserted by Karnataka Act No. 44 of 2015

The Grama Panchayats are the smallest but basic units in the hierarchy of democratic institutions constituted for the purpose of local self governance. In terms of the said Constitutional Amendment, the Karnataka Panchayat Raj Act, 1993 (Act No.14 of 1993) has been amended from time to time, the last of which being by way of the Karnataka Act No.44 of 2015, as a result whereof, the enactment has been re-named as the “Karnataka Gram Swaraj and Panchayat Raj Act, 1993”, (hereafter also referred to as ‘the Act of 1993’). By this very Act No.44 of 2015, significant changes have been brought about in Section 49 of the principal Act, which form the core of contentions in these appeals.

7. A glance at the relevant provisions of the Act of 1993 is pertinent. The Grama Panchayats are constituted under Section 5, by elections as notified by the State Election Commission; Section 44 provides for the election of Adhyakshas and Upadhyakshas from amongst the elected members of the Gram Panchayat concerned and Section 45 prescribes the procedure for such election; Section 46 prescribes the term of office of Adhyaksha and Upadhyaksha as five years from the date of election or till they cease to be members

of Grama Panchayat, whichever is earlier; Section 48 provides for the removal of Adhyaksha and Upadhyaksha by the Government, *inter alia*, on the ground of misconduct. As noticed, Section 49 provides for removal of Adhyaksha and Upadhyaksha by the Grama Panchayat through democratic process i.e., by way of a motion of no-confidence. It is noticed that Section 50 mandates that the procedure for the meeting of Grama Panchayat shall be as prescribed by the Rules. Various other provisions are not required to be elaborated upon in this judgment.

8. For the operation and working of Section 49, the Karnataka Panchayat Raj (Motion of No-Confidence against Adhyaksha and Upadhyaksha of Grama Panchayat) Rules, 1994 (hereafter referred to as 'the Rules of 1994') have been promulgated, their latest amendment being under the Notification dated 21.08.2018, as issued during the pendency of these appeals. The relevant aspects concerning such Rules of 1994 shall be examined hereafter, a little later.

9. The facts relevant for the present purpose are that the General Elections to the Grama Panchayats in the State, for the

period 2015-2020, were held by the State Election Commission during the month of June 2015; and immediately thereafter, Adhyakshas and Upadhyakshas came to be elected by the respective Grama Panchayats. After the 2015 amendment by way of the Act No. 44 of 2015, various motions of no-confidence against Adhyaksha or Upadhyaksha were moved in various Grama Panchayats with reference to the aforesaid sub-section (2) of Section 49 of the Act of 1993 on the premise that the *non-obstante* clause thereof has removed all the constraints and restrictions prescribed in sub-section (1) and the three provisos thereto. The Adhyakshas and Upadhyakshas concerned, being aggrieved by the initiation or passing of such motions of no-confidence, filed the writ petitions in this Court; with few of them questioning the *vires* of sub-section (2), as well.

10. After service of notice, the State entered appearance through the learned Additional Advocate General and other respondents too entered appearance through their respective counsel. During the pendency of the writ petitions, the State Government issued a Circular No.RDP 887 GPA 2017 dated

07.02.2018, purportedly laying down certain guidelines and procedure for regulating the motion moved under sub-section (2) of Section 49, pending contemplated amendment to the Rules of 1994. The learned Single Judge on 18.01.2018, after hearing both the sides, had permitted the concerned Grama Panchayats to proceed with the meetings for consideration of the respective motions of no-confidence with a rider that the results thereof, should be placed before the Court in a sealed cover.

11. Thereafter, the learned Single Judge proceeded to dispose of the writ petitions by way of the impugned order dated 28.02.2018, while holding, *inter alia*, that the effect of the *non-obstante* clause of sub-section (2) of Section 49 is confined to second and third provisos to sub-section (1) of Section 49 and therefore, a motion of no-confidence under sub-section (2) is permissible at any time after the election of Adhyaksha or Upadhyaksha, notwithstanding the moratorium of thirty months and two years respectively, as provided under the said provisos to sub-section (1) but, subject to the compliance of the requirement of ten days' prior notice of meeting being signed by one-half of the total

number of members, and also two-third of the total number of members passing the resolution for such removal.

12. The learned Single Judge though noticed the apparent inconsistency in Section 49 with insertion of sub-section (2) *ibid.*, but rejected the contentions against its validity; and considered it just and proper to read down the provisions by applying the rule of purposive construction. The learned Single Judge observed as under:-

“18. In the opinion of this Court, the provisions of sub-section (2) of Section 49 of the Act does not completely eclipse, supersede or override the entire provisions of sub-section (1) of Section 49, but the non-obstante Clause intends to override only restrictions of moratorium period of 30 months and two years respectively in Second and Third Proviso to Section 49(1) of the Act. It is to be harmoniously read as an adjunct and further Proviso to Section 49(1) of the Act to meet with the specific contingencies of misuse or abuse of power or authority, misappropriation of funds or corruption etc. where the Members of the Grama Panchayat can take up the motion for ‘No Confidence’ of such elected Adhyaksha/Upadhyaksha notwithstanding the restriction of initial moratorium period of 30 months or two years provided in Second and Third Proviso in sub-section 49(1) of the Act.”

13. The learned Single Judge summarised his conclusions in the following:-

“37. On a conjoint, combined and harmonious reading of Section 49(1) of the Act, the following conclusions can be deduced:-

(I) Notice for such Resolutions can be moved only by one half of the total number of Members after a ten days’ notice.

*(II) No such ‘**No Confidence Motion**’ can be moved against Adhyaksha/Upadhyaksha within the first 30 months from the date of their election except under the specified circumstances under Section 49(2) of the Act.*

*(III) Where such a ‘**No Confidence Motion**’ has failed once, a similar Resolution for ‘**No Confidence**’ against them cannot be moved within two years from the said failure, except under the specified circumstances under Section 49(2) of the Act;*

(IV) No Resclution, overriding the aforesaid period of restrictions provided in Second and Third Proviso of sub-section (1) can be moved unless they contain specific allegations of misuse or abuse of power or authority or misappropriation of funds or corruption, etc., as per Section 49(2) of the Act.

*(V) A motion for ‘**No Confidence**’ under sub-section (2) of Section 49 of the Act though can be moved on specific grounds only, ultimately remains a ‘**No confidence motion**’ to be considered by all the Members of the Grama Panchayat and it remains subject to mode and method for its consideration as per sub-section (1) viz. that is also is required to be moved by one half or more of the total number of Members and is required to be passed by more*

than 2/3rd of the total number of Members in order to become operative and effective.

(VI) The restriction provided in Second and Third Proviso of Section 49(1) of the Act, namely, the initial moratorium period of 30 months and restriction of two years, if once such motion fails is the only thing intended to be overridden by the non obstante Clause of Section 49(2) of the Act.

(VII) In other words, in the specified circumstances in Section 49 (2) of the Act, such a motion can be moved even within 30 months of the election to their Office and even within two years of the previous failure of one such Resolution.

(VIII) This is the purpose for providing a non obstante Clause in sub-section (2) of Section 49 of the Act, because the contingencies provided for removing Adhyaksha/Upadhyaksha and in resorting to sub-section (2) are of grave nature and in the cases of misuse or abuse of power or authority or misappropriation of funds or corruption, etc. by the elected Adhyaksha/Upadhyaksha, the Members need not wait for the restrictions of periods envisaged in Second and Third Proviso of Section 49(1) of the Act, namely for a period of 30 months and two years respectively and on the specific allegations of misuse or abuse of power or authority or misappropriation of funds or corruption, etc. they can resort to Section 49(2) of the Act and pass such Resolution with 2/3rd majority.

(IX) The purpose is obvious that if an elected Adhyaksha/Upadhyaksha is found to be indulging in corrupt activities or misuse or abuse of power or authority, he/she should not be tolerated necessarily by the mandate of law

for a period of 30 months or for the next two years. If the Members can make the specific allegations against him/her, notwithstanding the restrictions contained in Second and Third Proviso of Section 49(1) of the Act, they can resort to Section 49(2) of the Act and move such a 'No Confidence Motion'. It is the restrictions envisaged in the Second and Third Provisos of Section 49(1) of the Act which are sought to be overridden by the non obstante Clause at the beginning of the Section 49 (2) of the Act.

(X) If a motion for No-Confidence even though moved under Section 49(2) of the Act does not contain specific allegations against the elected Adhyaksha/Upadhyaksha of a Grama Panchayat, such a motion will fall under Section 49(1) and shall be subject to the restriction prescribed under Section 49(1) of the Act and can be considered by the Members under Section 49(1) of the Act."

14. The learned Single Judge further clarified and emphasised as under:-

"40. The democratic way of removing the elected persons from the Office by expression of 'No Confidence' in them is the essential feature of any democracy and therefore such elected persons cannot seek a permanent or a tenure fixation to their elected Offices, even if the majority of the Members electing them to that office, lose their confidence in them and intend to remove them just by count of heads or votes. The majority rule or the Numbers game is quivive of the Democracy."

15. The writ petitions considered together were disposed of accordingly. As noticed, one of the writ petitions was decided even a day before the said common order on the ground that the meeting had taken place and requisite resolution had been passed. Some other writ petitions were decided later, while following the said common order dated 28.02.2018, whereas in the fresh petitions filed by the similarly circumstanced persons, the learned Single Judge provided in the prayer for interim relief only this much that the proceedings of the meeting/s shall remain subject to the decision of the writ petitions. Questioning the orders aforesaid, the aggrieved parties have preferred these intra-court appeals.

16. It may also be pointed out that during the pendency of the writ petitions decided by the common order dated 28.02.2018, the learned Single Judge had made the following interim order in some of the matters on 08.02.2018:

"13. After hearing the learned counsels today at length, it is found appropriate that the Resolution of 'No-Confidence' passed in the Gram panchayat involved in the present writ petitions, shall not be given effect to as of now and the status-quo as it existed prior to passing of the said Resolution shall be maintained by the concerned Gram Panchayat and

this status will remain subject to the final decision of the present writ petitions.”

After taking note of the aforesaid and the overall circumstances, this Court had granted interim relief in some of these appeals, as indicated hereinbefore.

Rival Submissions

17. Learned counsel appearing for the appellants in these appeals have advanced multifarious contentions while assailing the validity of the said sub-section (2) of Section 49 of the Act of 1993 as also the proceedings for consideration of the motions of no-confidence as moved. Put in brief, the relevant part of the material contentions on behalf of the appellants are as follows:

(a) The Legislature had initially provided certain safeguards to the Adhyaksha and Upadhyaksha of Grama Panchayats by enacting a proviso to sub-section (1) of Section 49 as it originally existed; later, on the basis of experience, these safeguards are enhanced by introducing second and third provisos to sub-section (1) by Act No.29 of 1997 w.e.f. 20.10.1997; later, further safeguards came to be provided by amending all the three provisos to sub-

section (1), and by introducing sub-section (2) which requires specific allegations of misuse/abuse of power or misappropriation of funds/property or corruption/misconduct, as a *sine qua non* for moving any motion of no-confidence; therefore, the *non-obstante* clause with which sub-section (2) begins should be read not as diluting the protection otherwise provided under sub-section (1) and the three provisos thereto, but in addition thereto, as requiring the specific allegations also, for moving any and every motion of no-confidence contemplated under Section 49.

(b) Alternatively, sub-section (2) of Section 49 should be struck down as being *ultra vires* since it is unworkable and arbitrary, specially in the absence of a corresponding amendment to the Rules of 1994, which have been promulgated keeping in view only sub-section (1) of Section 49 as it originally existed, notwithstanding the Circular dated 07.02.2018 which is only an executive instruction having no force of law and which apparently is prospective in operation; an executive instruction cannot be a substitute for the Rules, which the Act requires.

(c) The Rules of 1994 having been promulgated long before the 2015 Amendment, are applicable only to the motions under sub-section (1) of Section 49; Sub-Rule (7) of Rule 3 prohibits any debate on the motion of no-confidence; the motions under sub-section (2) by their very nature need to be debated and therefore, even the August 2018 Amendment to these Rules does not make sub-section (2) workable; even otherwise also, the text of the said amendment is not happily worded.

(d) The amendment Act 44 of 2015 whereby, Section 49 was amended, does not match with the Bill as introduced in the Legislature, for giving effect to the recommendation of the Ramesh Kumar Committee; sub-section (2) of Section 49 is violative of sub-section (1) and therefore, the same is *ultra vires*; sub-section (2) is unconstitutional since it legalises character assassination of Adhyaksha or Upadhyaksha concerned after their stigmatic removal on the unsubstantiated allegations; it is more like a conviction without trial; the right to reputation being part of personal liberty [vide ***Subramanian Swamy Vs. Union of India: (2016) 7 SCC 221***] is put

at stake by sub-section (2) and therefore, the same is violative of Articles 14 and 21 of the Constitution of India.

(e) Sub-section (2) of Section 49 of the Act of 1993 has no parallel in any other enactments relating to removal of elected persons only on the ground of unsubstantiated allegations; there are no *pari materia* provisions for the removal of Adhyaksha and Upadhyaksha of Taluka Panchayats and Zilla Panchayats though all these persons constitute one homogeneous class and therefore sub-section (2) of Section 49 which singles out Adhyaksha and Upadhyaksha of Grama Panchayats alone for discriminatory treatment falls foul of Article 14 of the Constitution of India.

18. Learned Additional Advocate General, consistent with his stand before the learned Single Judge, submitted that the Legislature taking note of the abuse of the provision for motion of no-confidence, came up with 2015 Amendment, *inter alia*, to the provisions of Section 49 by enacting certain rigors in its sub-section (1) and by introducing sub-section (2) to provide for securing the functional tenure of the elected Adhyakshas and Upadhyakshas of Grama Panchayats, who otherwise were running the risk of being

removed by the motions moved whimsically and fancifully. He also placed on record the Notification dated 21.08.2018, whereby the relevant provisions of the Rules of 1994 have been amended, purportedly for the better working of sub-section (2) of Section 49.

19. Learned counsel appearing for the opposing private parties have also opposed the submissions made on behalf of the appellants and have put forth multifarious contentions. In brief, the relevant part of the material contentions on behalf of the respondents could be summarized as follows:

(a) Sub-section (2) which was inserted by Act No.44 of 2015 with the *non-obstante* clause "notwithstanding anything contained in sub-section (1)" clearly overrides the entire sub-section (1) including the three provisos thereto; in other words, the intention of the Legislature is to ensure that the holders of the democratic institutions such as Grama Panchayat shall not take undue protection given to them under sub-section (1) for indulging in misuse or abuse of their powers during the periods of moratorium, as prescribed under the second and third provisos thereto.

(b) A conjoint and harmonious reading of both sub-sections (1) and (2) of Section 49 makes the position clear that in normal circumstances, the Adhyaksha and Upadhyaksha shall not be removed within the moratorium period of initial 30 months under the second proviso or a moratorium period of two years under the third proviso to sub-section (1); however if they either misuse their office or indulge in corruption, they can be removed even during the said moratorium periods, but only on the grounds specified in sub-section (2). But for such harmonious interpretation of sub-section (1) and sub-section (2) of Section 49, it may amount to giving a *carta blanche* to the unscrupulous Adhyaksha or Upadhyaksha to indulge in misuse/abuse of their office/position.

(c) In all these cases, the motions of no-confidence are moved after the expiry of 30 months; there is no case wherein the second motion of no-confidence is moved so as to attract the bar of two year moratorium period prescribed under third proviso to sub-section (1) of Section 49; therefore, all these cases fall under sub-section (2) read with sub-section (1) and the first proviso thereto. That being so, the challenge to the *vires* of sub-section (2) does not

merit consideration. The counsel have relied upon various decisions of the Apex Court in support of the submission as to how a *non-obstante* clause should be interpreted including that in **Chandavarkar Sita Ratna Rao Vs. Ashalatha S Guram: (1986) 4 SCC 447.**

(d) The counsel for the respondents have also repelled the contention of the appellants that sub-section (2) is unconstitutional because of its unworkability and gross arbitrariness. In support of their contentions, the learned counsel have relied upon the decision in the case of **State of Andhra Pradesh Vs. Mcdowell & Co.:(1996) 3 SCC 709**, wherein it is held that a legislation can be struck down only on constitutional grounds and that the arbitrariness or unworkability is not one of them.

(e) Sub-section (1) of Section 49 provides for a motion of no-confidence simplicitor, whereas sub-section (2) provides for a motion on fault grounds; the object of sub-section (2) is essentially to show zero tolerance to any abuse or misuse of power, corruption and misconduct of Adhyaksha and Upadhyaksha, regardless of the protection of their tenure afforded under the second and third

provisos to sub-section (1); going by the literal interpretation, sub-section (2) starts with a *non-obstante* clause, and as such, it was never intended to be yet another proviso to sub-section (1); if the Legislature had intended that sub-section (2) should have the effect of an additional proviso, it would have accordingly added the fourth proviso to sub-section (1) and the non-obstante clause would not have been enacted in sub-section (2) at all.

20. Having given anxious consideration to the rival submissions and having examined the record with reference to the law applicable, we are clearly of the view that even when sub-section (2) of Section 49 of the Act of 1993 cannot be considered workable for want of necessary rules at present, the same cannot be held invalid; and the principal contentions urged on behalf of the appellants cannot be accepted. We are further clearly of the view that the impugned proceedings for consideration of motions of no-confidence deserve to be upheld with reference to sub-section (1) of the Section 49 of the Act of 1993; and the interim orders as passed in the pending writ petitions also call for no interference.

The object and scope of Section 49 of the Act of 1993

21. As noticed, the questions involved in these matters are on the validity of sub-section (2) of Section 49 *ibid.* and the operation of Section 49 as existing. For dealing with such questions, appropriate it would be to take note of the scope and object of Section 49 and the brief history of its development and modulation.

22. Under the scheme of Act of 1993, the Grama Panchayats, Taluka Panchayats and Zilla Panchayats are constituted in the three-tier-hierarchy, as democratic institutions. Section 49 of the Act of 1993 provides for the removal of Adhyaksha and Upadhyaksha of Grama Panchayats by motion of no-confidence; similarly, Section 140 and Section 179, *inter alia*, provide for the removal of Adhyaksha and Upadhyaksha of Taluka Panchayats and of Zilla Panchayats, respectively.

23. Section 49, as it originally stood in the year 1993, provided that an Adhyaksha or Upadhyaksha shall be deemed to have vacated his office on the passing of a resolution by the two-third majority of the members of the Grama Panchayat, expressing no-confidence in him. The only proviso to Section 49 as it was

originally enacted had prescribed that the **ten days prior notice** of such a resolution should be signed by not less than **one-third** of the total number of the members of the Grama Panchayat concerned.

24. It is noticed that after the recommendations of Haranhalli Ramaswamy Committee, the Act of 1993 came to be amended by Amendment Act No.29 of 1997 w.e.f. 20.10.1997, making substantial modifications, *inter alia*, to the provisions of Section 49 providing for a greater stability to these offices, while minimizing the potential abuse of the democratic process of removal. Hence, the second and third provisos came to be introduced.

The second proviso was introduced as under:

*"Provided further that no resolution expressing want of confidence against an Adhyaksha or Upadhyaksha, shall be moved **within one year** from the date of his election:"*

And, the third proviso was introduced as under:

*"Provided also that where a resolution expressing want of confidence in any Adhyaksha or Upadhyaksha has been considered and negatived by a Grama Panchayat a similar resolution in respect of the same Adhyaksha or Upadhyaksha shall not be given notice of, or moved, **within one year** from the*

date of the decision of the Grama Panchayat".

Thus, in the initial one year, there could not have been any motion of no-confidence at all; similarly, there could not have been another such motion of no-confidence for a period of one year, once the earlier one having been moved, had failed.

25. Subsequently, after the recommendation of Ramesh Kumar Committee, the Karnataka Legislature enacted Amendment Act No.44 of 2015 further amending various provisions of the Act of 1993 w.e.f. 25.02.2016; by the said amendment, extensive changes were made in the provisions of Section 49.

By the said Act No. 44 of 2015, the first proviso was amended to read as under:

*"Provided that no such resolution shall be moved unless notice of the resolution is signed **by not less than one-half** of the total number of members and **at least ten days notice** has been given of the intention to move the resolution".*

Thus, by the said amendment, earlier requirement of **one-third** of the members signing the notice of resolution came to be altered to **one-half**.

Similarly, the second proviso was amended to read as under:

*"Provided further that no resolution expressing want of confidence against an Adhyaksha or Upadhyaksha, shall be moved **within the first thirty months** from the date of his election:"*

Thus, by amendment to this proviso, the earlier moratorium period of one year came to be increased to two and a half years, within which no such motion of no-confidence can be moved.

The third proviso was also amended to read as under:

*"Provided also that where a resolution expressing want of confidence in any Adhyaksha or Upadhyaksha has been considered and negated by a Grama Panchayat a similar resolution in respect of the same Adhyaksha or Upadhyaksha shall not be given notice of, or moved, **within two years** from the date of the decision of the Grama Panchayat".*

Thus, the moratorium of initial one year came to be increased to two years, within which there cannot be another motion of no-confidence, the earlier one having been moved and having failed.

26. In addition to altering the three provisos to sub-section (1) as mentioned above, the 2015 amendment added sub-section (2) to Section 49, which reads as under:

"Notwithstanding anything contained in sub-section (1), no resolution expressing want of confidence against an Adhyaksha or Upadhyaksha, shall be moved except on specific allegation of misuse or abuse of power or authority in executing any scheme, action plan or direction of Government or project of the panchayat or of misappropriating funds or other assets of the panchayat during the term of his membership or otherwise indulging in corruption or misconduct in the course of exercising his functions".

The said sub-section (2) now added provides for the removal of Adhyaksha and Upadhyaksha of the Grama Panchayats by motion of no-confidence only on the allegation of misuse/abuse of power/authority or misappropriation of Panchayat funds/assets and corruption or misconduct. This sub-section apparently starts with a *non-obstante* clause, but its validity and interpretation is the subject of consideration in these appeals.

As to the constitutionality of Section 49 (2)

27. In some of these writ appeals, wherein the *vires* of sub-section (2) of Section 49 is called in question, the learned counsel appearing for the writ petitioners have contended that right to reputation is a part of personal liberty which is guaranteed under Article 21 of the Constitution of India vide ***Subramanian Swamy Vs.***

Union of India: (2016) 7 SCC 221; sub-section (2) of Section 49 of the Act of 1993, to the extent it authorises the stigmatic removal of Adhyaksha and Upadhyaksha of Grama Panchayats *per se* on unsubstantiated allegations, is arbitrary and is violative of Article 21 of the Constitution of India. Per contra, the counsel appearing on the other side have repelled the said contention, while relying upon the decision in the case of **State of Andhra Pradesh Vs. Mcdowell and Co. : (1996) 3 SCC 709 (para 43)** wherein, the Apex Court has ruled that a legislation cannot be struck down on the ground of arbitrariness.

28. Though it may be pointed out that in view of the progressive view of the Hon'ble Supreme Court, particularly in the case of **Shayara Bano Vs. Union of India : AIR 2017 SC 4609 (para 281)**, the direct applicability of the **Mcdowell's** case (*supra*) may remain in question, but such an aspect relating with the arbitrariness or unreasonableness is not required to be dilated in these matters for the simple reason that the provisions contained in sub-section (2) of Section 49 *ibid.*, founded on the democratic

principles and on the principles of probity in public life do not appear to be *per se* unreasonable or arbitrary.

29. The contention that sub-section (2) of Section 49 provides for stigmatic removal of unsubstantiated allegations and hence, it is violative of Article 21 of the Constitution of India, is too farfetched an argument. When an elected member of the Grama Panchayat chooses to become its Adhyaksha or Upadhyaksha, he does so with the specific knowledge that he would always remain answerable to any question raised on his conduct, particularly in view of the office held by him.

30. The right to reputation even when it is guaranteed as a Fundamental Right under Article 21 of the Constitution of India, is not an absolute right; the said right can be controlled or regulated in accordance with “the procedure established by law” i.e., “due process of law”. Even the removal of Adhyaksha and Upadhyaksha in terms of sub-section (1) or sub-section (2) of Section 49 is in accordance with the procedure established by law, within the meaning of Article 21. The Apex Court in the case of **Indira Nehru Gandhi Vs. Raj Narain : (1975) Suppl. SCC 1**, has held that the

democratic principles are a basic feature of the Constitution. The Legislature has enacted these principles in Section 49 for the removal of the incumbents of these offices and the same is in the larger public interest, to which the personal interest i.e., right to reputation of an individual has to yield. Therefore, the injury to the personal interest, if any, of the incumbents of these offices cannot be a ground for invalidating the statutory provisions in question.

31. The contention of the appellants that the text of sub-section (2) of Section 49 does not match with the text of the Legislative Bill that was founded on the recommendations of Ramesh Kumar Committee and, therefore, the said Section is unconstitutional, is legally misconceived. Even if the said contention is assumed to be true, its factual foundation has not been established by producing the necessary material. That apart, there is no legal requirement in our constitutional jurisprudence that the text of the Statute should match with that of the Legislative Bill. Therefore, the said contention being bereft of any legal basis, is liable to be rejected.

32. The next contention advanced on behalf of the appellants that sub-section (2) of Section 49 is *ultra vires* for it offends the pith and substance of sub-section (1) of Section 49, is again devoid of any legal substance. A legislation cannot be struck down on the ground that it offends the provisions of the other legislation. Similarly, a provision of an enactment cannot be struck down only on the ground that it is repugnant or incongruous to any other provision of the said enactment. In fact, in the same enactment, there may be provisions which are repugnant to each other, but that repugnancy *per se* is not a ground for invalidating such provisions by judicial verdict. A situation like that falls in the domain of 'Interpretation of Statutes' and such provisions ordinarily call for a harmonious construction for resolving the conflict. Therefore, this contention too is liable to be rejected.

33. It has also been contended that sub-section (2) of Section 49 does not have a parallel in any other enactment and further, the Adhyakshas and Upadhyakshas of Taluka Panchayats and Zilla Panchayats do not suffer any such provision which the writ petitioners do and, therefore, the said provision is liable to be struck

down as being discriminatory and hence, violating Article 14 of the Constitution. This argument wrongly assumes that the Adhyakshas and Upadhyakshas of Grama Panchayats are the equals of their counter-parts of Taluka Panchayats and Zilla Panchayats. In the scheme of the Act of 1993 and particularly looking to the powers and authority assigned, they do not constitute one single homogeneous class. Therefore, there being no foundation for invoking Article 14 on the ground of discriminatory treatment, this contention too fails.

34. For what has been discussed hereinabove, the contention that sub-section (2) of Section 49 is invalid piece of legislation is required to be, and is hereby, rejected.

35. Even when sub-section (2) of Section 49; and for that matter, the entire Section 49 is held to be valid and *intra vires*, the question still remains about the operation and workability of the provisions contained therein. These and co-related aspects may now be taken up for consideration.

The construction of Section 49

36. Section 49 of the Act is held to have vested a right in the members of Grama Panchayat to move a motion of no-confidence for the removal of Adhyaksha and Upadhyaksha, subject to certain restrictions and qualifications [vide ***Siddanagouda Vs. State and others: (2005) 1 KLJ 230***]. It is relevant to note that the legislative process during the period between 1993 and 2015 providing for the removal of Adhyaksha and Upadhyaksha of Grama Panchayats, shows a progressive control over this right of the elected members so as to provide a balance as regards the tenure to an elected Adhyaksha or Upadhyaksha without being under constant threat of facing motions of no-confidence vis-à-vis the rights of elected members of the Panchayat to remove an Adhyaksha or Upadhyaksha in the reasonable and prescribed manner, if the said incumbent ceases to enjoy the confidence of the House. This becomes apparent by the texts of Amendments, as noticed hereinbefore.

37. So far as the other provision for removal of Adhyaksha and Upadhyaksha, particularly that contained in Section 48 of the Act of 1993 is concerned, it provides for removal of Adhyaksha and Upadhyaksha by the Government on the administrative side, on the ground of 'proved misconduct' or 'persistent remiss', in accordance with the procedure prescribed therein. Such a process, by its very nature, requires holding of the necessary inquiry before the Government removes an elected representative. These aspects of the matter need not be elaborated upon for the simple reason that the provisions of Section 48 and Section 49 operate in different fields and are in fact mutually exclusive even when their result may be the same i.e., removal.

38. The question still remains as to the construction of the provisions contained in Section 49 *ibid*. In this regard, in our view, the process of reading down as adopted by the learned Single Judge appears to be the correct approach so as to maintain the provisions as existing on the Statute and at the same time making them workable towards the true intent and purpose.

39. Though learned counsel for the appellants, with reference to some of the decided cases on the principles of statutory interpretation, have endeavoured to argue that the process, as adopted by the learned Single Judge, is practically of reading the words in the Statute or omitting the words therefrom, which practically amount to legislation, but in our view, these submissions do not merit acceptance because if any other interpretation is taken on the scheme of Section 49 of the Act, it would practically lead to the result as if a motion of no-confidence can never be moved except when half of the members choose to level specific allegations. This nature blanket ban on the rights of the members of Gram Panchayat to move the motion of no-confidence may not stand in conformity and compatibility with the norms of a democratic institution. Therefore, in our view, the process of reading down, as taken recourse of by the learned Single Judge, in the peculiar circumstances of the case, cannot be faulted at and deserves to be upheld. The contentions against the process of interpretation adopted by the learned Single Judge are, therefore, rejected.

40. It is also significant to notice, as observed hereinbefore, that even while inserting sub-section (2) to Section 49, by the very same Amendment Act, i.e., Act No.44 of 2015, the length of time of moratorium periods, as provided in the second and third provisos to sub-section (1), were modified. If the intention of the legislature was to do away with the whole of sub-section (1) of Section 49, there was no such necessity of amendment to the said provisos. Such contemporaneous amendment of the provisos is also a strong indicator of the legislative intent that sub-section (2) was inserted in Section 49 so as to provide an additional right to the members of Gram Panchayat to move a motion of no-confidence on specific allegations irrespective of the said moratorium periods. Else, the general right of the members to move a motion of no confidence without stating any reason, *per* sub-section (1), was neither intended to be taken away nor has been taken away. This, in our view, is the only appropriate way of interpreting the provisions as existing, particularly looking to the purport and object thereof.

The operation of sub-section (2) of Section 49:

41. Even when the aforesaid process of interpretation is applied so as to ensure the true operation of sub-section (i) as also sub-section (2) of Section 49, the question as regards workability of sub-section (2) of Section 49 still remains.

42. It is pertinent to mention that the Rules of 1994 as originally promulgated are applicable only to the motions moved under sub-section (1) of Section 49; and sub-section (2), having been enacted long thereafter, was not within the contemplation of the said Rules as originally promulgated. These Rules have been amended by Notification No.GPA 257 GPA 2017 dated 21.08.2018, whereby some mechanism is sought to be provided for the motions moved under sub-section (2), although the same leaves much to be desired. Sub-rule (7) of Rule 3 of these Rules prohibits any debate on the motion of no-confidence. The said provision reads as under :

*“(7) As soon as the meeting convened under sub-rule (2) commences, the Assistant Commissioner shall read to the members of the Grama Panchayat, the motion for the consideration of which the meeting has been convened and **shall put it to vote without any debate**”.*

43. By virtue of August 2018 Amendment (*supra*), these Rules are made applicable even to the motions moved under sub-section (2) in which 'specific allegations' are a pre-requisite. By their very nature, a debate becomes inevitable on such motions under sub-section (2). Unless and until a comprehensive set of Rules as applicable to these motions is promulgated, this newly added sub-section (2) will continue to remain unworkable. The Government Circular No.RDP 887 GPA 2017 dated 07.02.2018, being only of executive instructions, cannot be a substitute for the Rules.

44. In the passing, we may only observe that the procedure for meetings could even otherwise be prescribed by virtue of Rules under Section 50 of the Act of 1993 that reads as under:

“50. Procedure at meetings- The procedure at a meeting of the Grama Panchayat shall be as prescribed.”

45. All other aspects being within the domain of the Legislature and the rule making power of the Government, we do not wish to elaborate further in this regard. Suffice it to conclude that sub-section (2) of Section 49 in the present form, for want of requisite and specific Rules, is unworkable but, for the interpretation

adopted by the learned Single Judge and approved in this judgment, sub-section (1) of Section 49 remains operational; and the said sub-section (1) is neither eclipsed nor nullified.

Motions of no-confidence involved in the present cases:

46. Most of the motions of no-confidence, as involved in the present cases, have already been put to the floor of the concerned Houses and, it is pointed out that most of such motions have been adopted. Such motions of no-confidence have been found by the learned Single Judge to be conforming to all the requirements of sub-section (1) of Section 49. No cogent and convincing reason has been placed before us in any of these matters that the motion of no-confidence is not in conformity with the other requirements of sub-section (1) of Section 49. That being the position, the resolutions adopted on such motions deserve to be taken to their logical conclusion. In the pending writ petitions, of course, the validity of the notice of motion *per* sub-section (1) of Section 49 may be examined, if any question in that regard is raised and to this extent, we would leave the matter open for examination in the pending writ petitions.

CONCLUSION:

47. For what has been discussed hereinabove, we are clearly of the view that these intra-court appeals deserve to be dismissed and the orders impugned, as passed by the learned Single Judge, deserve to be upheld except the observations occurring in paragraph 37(V) of the order dated 28.02.2018, where the learned Single Judge has observed that the motion of no-confidence under sub-section (2) of Section 49 would remain subject to mode and method for its consideration as per sub-section (1). Such mode and method would only relate to the requirement of the number of members for moving the motion and for adopting the resolution on that basis. However, the procedure and method for consideration of the motion under sub-section (2) of Section 49 shall have to be provided by separately promulgated Rules and any such motion under sub-section (2) of Section 49 of the Act of 1993 cannot be proceeded under the Rules of 1994, even as amended by the notification dated 21.08.2018.

48. However, as held hereinabove, the motions of no-confidence in the decided writ petitions shall be deemed to be those

moved under sub-section (1) of Section 49 and cannot be considered invalid. Hence, the directions in the impugned order dated 28.02.2018 and other orders passed on that basis remain unexceptionable and call for no interference.

49. With the observations foregoing, these intra-court appeals fail and are, therefore, dismissed.

The interim orders passed in the respective cases stand vacated.

No costs.

**Sd/-
CHIEF JUSTICE**

**Sd/-
JUDGE**