



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 4971 OF 2026 (CS-RES)

BETWEEN:

SRI. NURALESHWARA FISHERMAN CO-OPERATIVE
SOCIETY LTD.,
HUSKURU HADI VILLAGE
KANDALIGE HOBLI, SARAGURU TALUK
MYSURU DISTRICT- 571121
REPRESENTED BY ITS CEO
REGISTERED UNDER KARNATAKA CO-OPERATIVE
SOCIETY ACT 1959

...PETITIONER

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by KIRAN
KUMAR R

Location:
HIGH COURT
OF
KARNATAKA

(BY SRI. SANDESH T.B., ADVOCATE)

AND:

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



2. THE DEPUTY REGISTRAR OF CO-OPERATIVE
SOCIETIES
MYSURU SUB-DIVISION
MYSURU-570001

3. THE ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES,
HUNSURU SUB-DIVISION,
HUNSURU TALUK,
MYSURU-571105

4. THE ASSISTANT DIRECTOR OF FISHERIES
DEPARTMENT
H.D KOTE SUB- DIVISION
H.D KOTE TALUK
MYSURU DISTRIC-571114

...RESPONDENTS

(BY SRI. YOGESH D NAIK, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER DATED 22.01.2026 IN ORDER BEARING NO. AR43/RSR/AMD/08/2025-26 PASSED BY THE R3 VIDE ANNEX-G.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI



ORAL ORDER

1. The petitioner has filed this writ petition challenging the order dated 22.01.2026 passed by respondent No.3 vide Annexure-G, wherein respondent No.3 has passed an order to withdraw the approved amended bye-laws.
2. Brief facts, leading rise to the filing of this petition are as follows:
3. The petitioner's Society is a registered Society under the Karnataka Cooperative Societies Act, 1959 (for short, 'the Act'). The petitioner's Society convened its annual general body meeting on 20.09.2025. The petitioner convened a special general body meeting on 22.12.2025, wherein the members unanimously resolved to exclude the villagers of Bettadapura, Haleyuru, Saraguru, M.C.Tholalu and Siddapura from the area of operation of the Society, as the residents of the said villages do not pursue fishing as their



profession. The members unanimously resolved to amend certain bye-laws of Society on 29.12.2025. The petitioner submitted a representation for approval of the proposed amended bye-laws. On the requisition and the resolution submitted by the petitioner, respondent No.3 passed an order dated 05.01.2026 approving the amendment of the bye-laws submitted by the petitioner. Thereafter, respondent No.3, without issuing any notice or holding an enquiry, recalled the order of approval of amended bye-laws by issuing the impugned order. Hence, this petition.

4. Heard the arguments of the learned counsel for the petitioner, and learned Government Advocate for the respondents.
5. The learned counsel for the petitioner submits that the petitioner has submitted an application for approval of the proposed amended bye-laws.



Respondent No.3 approved the proposed amended bye-laws on 05.01.2026. Respondent No.3, without issuing any notice or holding an enquiry, unilaterally recalled the order of approval vide order dated 22.01.2026. Thus, the impugned order is in violation of the principles of natural justice. Hence, he prays for allowing the writ petition.

6. *Per contra*, learned Additional Government Advocate fairly concedes that before passing the impugned order, no notice was issued nor an enquiry was conducted. He submits that if a reasonable time is granted, the respondents would reconsider the matter, and pass an appropriate order in accordance with law.
7. Perused the records, and considered the submissions of the learned counsel for the respective parties.
8. It is undisputed that the petitioner Society is a registered Society under the Karnataka Co-operative



Societies Act, 1959. The petitioner's Society convened an Annual General Body meeting, and passed a resolution to amend the by-laws of the Society. They sent the proposed amended bye-laws to respondent No.3 for approval. Respondent No.3 passed an order on 05.01.2026 approving the proposed bye-laws. All of a sudden respondent No.3 without issuing any notice or holding an enquiry, by an order dated 22.01.2026 recalled the order dated 05.01.2026.

9. Once an order is passed by respondent No.3, approving the proposed bye-laws, respondent No.3 becomes *functus officio*. Therefore, the impugned order passed by respondent No.3, behind the back of the petitioner, is in violation of the principles of natural justice. Thus, the matter requires reconsideration by respondent No.3.



10. In view of the above discussion, I proceed to pass the following order:

ORDER

- (I) The writ petition is ***allowed***.
- (II) The impugned order dated 22.01.2026 passed by respondent No.3 vide Annexure-G, is set aside.
- (III) A Liberty is reserved to respondent No.3 to initiate appropriate proceedings, if so desired, in accordance with law, after affording sufficient opportunity of hearing to the parties.
- (IV) In view of the disposal of the writ petition, pending interlocutory applications, if any, stand disposed of.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

RK
CT:KHV
List No.: 1 Sl No.: 40