IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF SEPTEMBER, 2023

BEFORE

THE HON'BLE MR JUSTICE N S SANJAY GOWDA

WRIT PETITION NO. 18067 OF 2023 (S-RES)

BETWEEN:

1. SHRI MANJAPPA S R
S/O RAMAPPA, AGE 55 YEARS,
HEAD MASTER,
GNANA SAHYADRI HIGH SCHOOL,
YEDEHALLI VILLAGE,
ANANDAPURA POST, SAGARA TALUK,
SHIVAMOGGA DISTRICT - 577418.

2. SHRI VARTHESH L H
S/O HALAPPA, AGED 58 YEARS,
ASSISTANT TEACHER
GNANA SAHYADRI HIGH SCHOOL,
YEDEHALLI VILLAGE,
ANANDAPURA POST, SAGARA TALUK,
SHIVAMOGGA DISTRICT - 577418.

3. SHRI K M HONNAPPA,
S/O MANJUNATH, AGE 49 YEARS,
ASSISTANT TEACHER IN KANNADA,
GNANA SAHYADRI HIGH SCHOOL,
YEDEHALLI VILLAGE,
ANANDAPURA POST, SAGARA TALUK,
SHIVAMOGGA DISTRICT - 577418.

4. SMT. LALITHA BAI L.,
D/O LAKSHMANA SHET,
AGED 48 YEARS, ASSISTANT TEACHER
GNANA SAHYADRI HIGH SCHOOL,
YEDEHALLI VILLAGE,
ANANDAPURA POST, SAGARA TALUK,
SHIVAMOGGA DISTRICT - 577418.

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Location: HIGH COURT OF KARNATAKA

5. SHRI DHARAMAPPA,
S/O DODDAPPA AGED 53 YEARS,
SECOND DIVISION ASSISTANT
GNANA SAHYADRI HIGH SCHOOL,
YEDEHALLI VILLAGE,
ANANDAPURA POST, SAGARA TALUK,
SHIVAMOGGA DISTRICT - 577418.

6. SHRI SYED RAFIQ AHAMMAD
S/O SYED HABIBULLA,
AGED 52 YEARS, D GROUP
GNANA SAHYADRI HIGH SCHOOL,
YEDEHALLI VILLAGE,
ANANDAPURA POST, SAGARA TALUK,
SHIVAMOGGA DISTRICT - 577418.

7. SHRI ASHOK K.K.
S/O KODIGAPPA,
AGED 46 YEARS, HEAD MASTER,
JANATHA HIGHER PRIMARY SCHOOL,
KEMBODI, TALUK AND DISTRICT KOLAR - 563101.

8. SHRI HARISH BABU,
S/O KRISHNAPPA,
AGE 40 YEARS, TEACHER,
JANATHA HIGHER PRIMARY SCHOOL,
KEMBODI,
TALUK AND DISTRICT KOLAR - 563101.

9. SHRI MUNIRAJU,
S/O PILLEPPA, AGE 39 YEARS,
ASSISTANT TEACHER,
JANATHA HIGHER PRIMARY SCHOOL,
KEMBODI, TALUK AND DISTRICT KOLAR - 563101.

10. SHRI NAGARAJA P.,
S/O PAPAIAH H., AGE 46 YEARS,
ASSISTANT TEACHER,
SRI SARASWATHI VIDHYA MANDIRA SCHOOL,
YALDUR SRINIVASAPURA TALUK,
KOLAR DISTRICT - 563138.

11. SHRI B. M. ESWARAPPA,
S/O MUNINARAYAPPA,
AGE 60 YEARS, RETIRED TEACHER,
R/O BALAHALLI, KAMADENAHALLI POST,
TALUK AND DISTRICT KOLAR - 563 103.

12. SHRI SHIVARUDRAIAH D.V.
S/O VEERABHADRAIAH,
AGE 60 YEARS,
RETIRED ASSISTANT TEACHER,
R/O DODDAGANGAWADI,
KOTAGAL HOBLI,
TALUK AND DISTRICT
RAMANAGARA - 562159.

13. SHRI LINGARAJU S.G.
S/O PARAMESHWARAPPA S.G.,
AGE 50 YEARS,
ASSISTANT SCIENCE TEACHER
SRI BALABHEEMA HIGH SCHOOL
NAGAVANDA, HIREKERU TALUK,
HAVERI DISTRICT - 581210.

14. SHRI JAGAEEESHA H PUTTANNAVARA,
S/O HANUMANTHAPPA, AGE 45 YEARS,
ATTENDAR,
SHRI BALABHEEMA HIGH SCHOOL
NAGAVANDA, HIREKERUR TALUK,
HAVERI DISTRICT - 581 210.

15. SRI. SHIVAPPA A K, S/O HALAPPA A K
AGE 57 YEARS,
PHYSICAL EDUCATION TEACHER
SRI BALABHEEMA HIGH SCHOOL
NAGAVANDA HIREKERU TALUK,
HAVERI DISTRICT - 581 210.

16. SRI MOAHNACHANDRA M ADMANI
S/O MAHADEVAPPA,
AGED 59 YEARS, HEAD MASTER,
SRI BALABHEEMA HIGH SCHOOL

NAGAVANDA, HIREKERU TALUK,
HAVERI DISTRICT - 581210.

17. SRI KRISHNAPPA N JEENALLI
S/O NAGAPPA AGED 54 YEARS,
VRUTTI SHIKSHAK
SRI BALABHEEMA HIGH SCHOOL
NAGAVANDA, HIREKERU TALUK,
HAVERI DISTRICT - 581210.

18. SRI. SHIVAJI H SHANKARANALLI
S/O HANUMANTHAPPA,
AGE 56 YEARS, ASSISTANT TEACHER
SRI BALABHEEMA HIGH SCHOOL
NAGAVANDA, HIREKERU TALUK,
HAVERI DISTRICT - 581210.

19. SMT. SUDHA R K
D/O RUDRAPPA AGED 54 YEARS,
ASSISTANT TEACHER
SRI BALABHEEMA HIGH SCHOOL
NAGAVANDA, HIREKERU TALUK,
HAVERI DISTRICT - 581210.

…PETITIONERS

(BY SRI. MANJUNATHA RAO BHONSLE., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF PRIMARY AND SECONDARY
EDUCATION,
M.S.BUILDING, BENGALURU -560001.

2. THE COMMISSIONER OF PUBLIC
INSTRUCTION, NRUPATHUNGA ROAD,
K.R.CIRCLE, BENGALURU - 560001.

3. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTION
SHIVAMOGGA DISTRICT
SHIVAMOGGA - 566 201.

4. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTION,
HAVERI DISTRICT - 571 110
HAVERI – 581

5. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS
KOLAR DISTRICT
KOLAR - 563 101.

6. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS
RAMANAGARA DISTRICT
RAMANAGARA – 562159

7. THE BLOCK EDUCATIONAL OFFICER
RATTEHALLI TALUK,
HAVERI DISTRICT - 581 116

8. THE BLOCK EDUCATIONAL OFFICER
SAGAR TALUK, SAGAR - 577401.

9. THE BLOCK EDUCATIONAL OFFICER
KOLAR TALUK
KOLAR DISTRICT - 563 101.

10. THE BLOCK EDUCATIONAL OFFICER
SRINIVASAPURA TALUK,
KOLAR DISTRICT - 563135.

11. THE BLOCK EDUCATIONAL OFFICER
RAMANAGARA TALUK,
RAMANAGARA DISTRICT - 562120.

12. SRI RANGANATHA VIDHYA SAMSTHE (R)
AT AND POST, NAGAVANDA,
RETTEHALLI TALUK,
HAVERI DISTRICT - 581 210
REPRESENTED BY ITS SECRETARY.

13. GNANA SAHYADRI
SC AND ST VIDHYA SAMSTHE (R)
YEDEHALLI VILLAGE, ANANDAPURA POST
SAGARA TALUK, SHIVAMOGGA DISTRICT - 577 418
REPRESENTED BY ITS SECRETARY.

14. SHRI MANJUNATHA EDUCATION SOCIETY (R)
ANJANAPURA RAMANAGARA TALUK,
RAMANAGARA DISTRICT - 562159
REPRESENTED BY ITS SECRETARY.

15. SHRI SARASWATHI VIDHYA MANDIARA (R)
YELDUR, SRINIVASAPURA TALUK,
KOLAR DISTRICT - 563 138
REPRESENTED BY ITS SECRETARY.

16. HALEYA VIDHYARTHIGALA SANGHA (R)
KEMBODI, KOLAR - 563 101
REPRESENTED BY ITS SECRETARY.

…RESPONDENTS

(BY SRI. HARISH.A.S., AGA FOR R-1 TO R-11;
VIDE ORDER DATED:14.09.2023, NOTICE TO R-12 TO R-16 IS DISPENSED WITH)

THIS WRIT PETITION IS FILED UNDER ARRICLE 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE R1 TO DISPOSE OF THE REPRESENTATIONS DATED 16.09.2021 SUBMITTED BY THE ASSOCIATION VIDE ANNEXURE-B AND THE REPRESENTATIONS DATED 30.06.2023/03.07.2023 (PETITIONER NO.12) 12.07.2023 (PETITIONERS NOS.13 TO 19), 22.07.2023 (PETITIONERS NOS.1 TO 6), 24.07.2024 (PETITIONER NO.11) AND 26.07.2023 (PETITIONERS NOS.7 TO 10) SUBMITTED BY THE PETITIONERS VIDE ANNEXURE-C TO C18 RESPECTIVELY, ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

1. Petitioners have sought for a direction to the first respondent to consider and dispose of the representations submitted by them vide Annexures-C to C18.

2. A further direction is sought to respondents No.1 to 11 to grant all the monetary benefits along with all consequential benefits from the date of the initial appointment. Since the second prayer is dependent on the first prayer and the first prayer is essentially against the respondent No.1, notices to the respondents No.12 to 16 are dispensed with.

3. Since the petitioners are claiming that they are entitled to certain pensionary benefits, which is based on a decision rendered by this court in W.P. No.17941/2012, it would be appropriate to direct the first respondent to consider the claim of the petitioners for pensionary benefits and pass appropriate orders in accordance with

law within a period of three months from the date of receipt of a copy of this order.

Sd/-
JUDGE

HNM
List No.: 1 Sl No.: 34