IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 22ND DAY OF MARCH, 2025

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

WRIT PETITION NO. 200900 OF 2025 (LB-ELE)

BETWEEN:

SRI. DODDI RAMMOHAN REDDY
S/O VENKATREDDY,
AGED ABOUT 42 YEARS,
OCC: ADHYAKSHA,
JAIGRAM GRAM PANCHAYAT,
TQ: GURUMITKAL, DIST: YADGIRI.

…PETITIONER

(BY SRI GANESH NAIK, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF PANCHAYAT RAJ,
REPRESENTED BY ITS
PRINCIPAL SECRETARY,
M.S BUILDING – 560 001.

2. THE DEPUTY COMMISSIONER
YADGIRI, DIST: YADGIRI – 585 202.

3. THE ASSISTANT COMMISSIONER
OFFICE OF ASSISTANCE COMMISSIONER YADGIRI,
TQ: AND DIST: YADGIRI – 585 202.

4. THE PANCHAYAT DEVELOPMENT OFFICER (PDO)
JAIGRAM GRAM PANCHAYAT, JAIGRAM,
TQ: GURUMITKAL, DIST: YADGIRI – 585 315.

Digitally signed by
BASALINGAPPA
SHIVARAJ
DHUTTARGAON
Location: HIGH
COURT OF
KARNATAKA

5. SRI. SHEKHAR
S/O HANAMANTH
AGE: 34 YEARS,
OCC: MEMBER OF GRAM PANCHAYAT.

6. SRI. RAVINDRAPPA
S/O HANMANTH
AGE: 52 YEARS,
OCC: MEMBER OF GRAM PANCHAYAT.

7. SMT. NIRMALADEVI
W/O MALLAREDDY
AGE: 64 YEARS,
OCC: MEMBER OF GRAM PANCHAYAT.

8. SMT. ARUNA
W/O MAHADEVAPPA
AGE: 32 YEARS,
OCC: MEMBER OF GRAM PANCHAYAT.

9. SMT. PADMAMMA
W/O DODDA KURUMAPPA
AGE: 42 YEARS,
OCC: MEMBER OF GRAM PANCHAYAT.

10. SMT. M. MADHAVI
W/O BALARAM
AGE: 31 YEARS,
OCC: MEMBER OF GRAM PANCHAYAT.

11. SRI. TAYAMMA
W/O LAXMAPPA
AGE: 39 YEARS,
OCC: MEMBER OF GRAM PANCHAYAT.

12. SMT. NASIMA BEGUM
W/O MAHIBOOB
AGE: 32 YEARS,
OCC: MEMBER OF GRAM PANCHAYAT.

13. SMT. ARUNA
W/O DANAPPA

AGE: 32 YEARS,
OCC: MEMBER OF GRAM PANCHAYAT.

14. SMT. ANJAMMA
W/O ASHAPPA
AGE: 54 YEARS,
OCC: MEMBER OF GRAM PANCHAYAT.

15. SMT. SANGEETHA
W/O RAGHAVANKA PATIL
AGE: 40 YEARS,
OCC: MEMBER OF GRAM PANCHAYAT.

16. SRI BASAPPA
S/O TIPPANNA
AGE: 47 YEARS,
OCC: MEMBER OF GRAM PANCHAYAT.

17. PADAMAMMA
W/O VENKATREDDY
AGE: 46 YEARS,
OCC: MEMBER OF GRAM PANCHAYAT.

ALL R/O: JAIGRAM GRAM PANCHAYAT,
TQ: GURUMITKAL,
DIST: YADGIRI – 585 315.

…RESPONDENTS

(BY SRI MALLIKARJUN SAHUKAR, A.G.A. FOR R1 TO R3;
SRI SUDARSHAN M., ADVOCATE FOR C/R5 & R6)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI QUASHING IMPUGNED NOTICE ISSUED BY RESPONDENT NO.3 FIN FILE NO.ಸಂ.ಕಂ/ಚುನಾವಣೆ/91/2024–25 DATED 14-03-2025 CALLING FOR MEETING TO DISCUSS NO-CONFIDENCE MOTION AGAINST THE PETITIONERS AS PER ANNEXURE-A, IN THE INTEREST OF JUSTICE AND ETC.

THIS WRIT PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

(PER: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE)

Office objection is overruled for the time being.

Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for respondents No.1 to 3 and the learned counsel appearing for respondents No.5 and 6.

2. This petition is filed assailing the notice dated 14.03.2025 issued by 3rd respondent- Assistant Commissioner convening the meeting to discuss 'No Confidence Motion' against the petitioner. It is not in dispute that the petitioner is the Adhyaksha of Jaygram Gram Panchayat, Taluk Gurumitkal. It is further not in dispute that respondents No.5 to 17 are the members of the aforementioned Gram Panchayat.

3. Respondent No.3-Assistant Commissioner issued notice at Annexure-A dated 14.03.2025 referred to above convening the meeting to discuss 'No Confidence Motion'

against the petitioner. The requisition is said to have been submitted to the Assistant Commissioner in terms of Annexure-D. From Annexure-D, it is noticed that 13 members have signed the petition. The petition is dated 10.03.2025. Pursuant to the said requisition, the 'No Confidence Motion' is convened on 04.04.2025 and accordingly notice is issued on 14.03.2025.

4. Learned counsel for the petitioner does not dispute the fact that 15 days notice contemplated under the applicable Rule is given under the said notice. However, it is the contention that the Assistant Commissioner has not **endorsed** that two persons have signed the requisition in his presence and personally presented the same before him. On this basis, the learned counsel for the petitioner would contend that the notice is defective and not in compliance with the applicable provisions of law.

5. Learned Government Advocate appearing for respondent No.1 as well as the learned counsel appearing for other respondents would contend that notice is in accordance with the requirement of applicable Rules and Regulations. In

Annexure-D, the requisition dated 10.03.2025, respondent No.3-Assistant Commissioner has **endorsed** that two persons namely Shekar son of Hanumanth and Ravindrappa son of Hanumanth have presented the requisition by personally appearing before the Assistant Commissioner.

6. Though the learned counsel appearing for the petitioner would contend that the Assistant Commissioner has not stated in the endorsement that two persons have signed before him. This Court is of the view that such interpretation is impermissible. The persons who have submitted the requisition on 10.03.2025 have signed the requisition and out of 13 persons who have signed the requisition, two persons names are mentioned by the Assistant Commissioner as having personally appeared before him to submit the requisition at Form No.1.

7. It is further noticed that the notice does not suffer from any other infirmity and same is in accordance with applicable Rules.

8. Hence, the Petition is not maintainable and is ***dismissed***.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

BRN
List No.: 2 Sl No.: 6