

Reserved on : 09.02.2026
Pronounced on : 17.03.2026

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 17TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE S.G.PANDIT

AND

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION No. 2972 OF 2026 (S-KSAT)

BETWEEN:

1. DR. UMESHA G.,
S/O LATE GATTAIAH P
AGED ABOUT 50 YEARS,
PRESENTLY WORKING AS JOINT REGISTRAR
OF CO OPERATIVE SOCIETIES (ICDP),
OFFICE OF THE REGISTRAR OF
CO OPERATIVE SOCIETIES,
No.1, ALI ASKER ROAD,
BANGALORE-560052,
RESIDING AT No.903,
SATTVA ANUGRAHA APARTMENTS,
TOWER 13, SUMMANAHALLI,
BANGALORE-560091,
PH 9482578831,
EMAIL ID: UMESHGATTI75@GMAIL.COM

...PETITIONER

(BY SRI SATISH K., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
DEPARTMENT OF CO OPERATION,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
M. S. BUILDING, BANGALORE-560001.
2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
DEPARTMENT OF CO OPERATION,



No.1, ALI ASKAR ROAD,
BANGALORE-560052.

3. SRI N. VENKATESH,
FATHER'S NAME NOT KNOWN
TO THE PETITIONER,
MAJOR,
PRESENTLY WORKING AS
JOINT REGISTRAR OF CO OPERATIVE SOCIETIES,
BANGALORE DIVISION, No.146,
SAHAKARA SOUDHA,
8TH CROSS, MALLESWARAM,
BANGALORE-560003.
4. SRI P. MAHESH,
FATHER'S NAME NOT KNOWN
TO THE PETITIONER
MAJOR,
PRESENTLY WORKING AS
JOINT REGISTRAR OF CO OPERATIVE SOCIETIES,
TOWN BANK CELL,
OFFICE OF THE REGISTRAR OF CO
OPERATIVE SOCIETIES,
No.1, ALI ASKAR ROAD,
BANGALORE-560052

...RESPONDENTS

(BY SRI V. SHIVAREDDY, AGA FOR R1 & R2;
SRI SURESH S. LOKRE, SENIOR ADVOCATE FOR
SRI SIDDANOORU VISHWANATH, ADVOCATE FOR R3;
SMT. KSHAMA NARAGUND, ADVOCATE FOR
SMT. SONA VAKKUND, ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE IMPUGNED ORDER DATED 29.01.2026 PASSED BY THE HON'BLE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL, BANGALORE IN APPLICATION No.5000/2025 (ANNEXURE-A) AND CONSEQUENTLY ALLOW THE SAID APPLICATION No. 5000/2025 PREFERRED BY THE PETITIONER, AS PRAYED FOR, (ANNEXURE-B), IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION HAVING BEEN HEARD AND RESERVED FOR ORDERS, COMING ON FOR PRONOUNCEMENT THIS DAY, **K.V. ARAVIND J.**, MADE THE FOLLOWING:-

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
and
HON'BLE MR. JUSTICE K. V. ARAVIND

C.A.V. ORDER

(PER: HON'BLE MR. JUSTICE K.V. ARAVIND)

Heard Sri K. Satish, learned counsel for the petitioner, Sri V. Shivareddy, learned Additional Government Advocate for respondent Nos.1 and 2, Sri Suresh S.Lokre, learned Senior Counsel appearing for Sri Siddanooru Vishwanath, learned counsel for respondent No.3 and Smt. Kshama Naragund, learned counsel appearing for Smt. Sona Vakkund, learned counsel for respondent No.4.

2. The applicant in Application No.5000/2025 has filed the present writ petition challenging the order dated 29.01.2026 passed by the Karnataka State Administrative Tribunal, Bangalore (for short, "the Tribunal").

3. The brief facts are that all the three officers belong to the cadre of Joint Registrar of Co-operative Societies. The petitioner was posted as Administrator of the Tumkur District Milk Producers Co-operative Societies Union by order dated 13.11.2023. Respondent No.3, who was working as Personal Secretary to the Hon'ble Minister for Co-operation, came to be transferred and posted as Joint Registrar of Co-operative

Societies (ICDP) in the Office of the Registrar of Co-operative Societies, Bangalore, against a vacant post, by Notification dated 29.02.2024.

3.1 After the elections were completed in Tumkur District Milk Producers Co-operative Societies Union, the petitioner handed over charge of the post of Administrator and was relieved from Tumkur on 22.01.2025. By order dated 27.02.2025, the petitioner was posted as Joint Registrar of Co-operative Societies, Bangalore Division, Bangalore, in place of Sri Ashwath Narayan, and the petitioner took charge on 28.02.2025.

3.2 Respondent No.3 was transferred from the post of Joint Registrar of Co-operative Societies (ICDP), Office of the Registrar of Co-operative Societies, Bangalore, to the post of Joint Registrar of Co-operative Societies, Town Bank Cell, by order dated 25.06.2025. Under the same order, respondent No.4 was posted as Joint Registrar of Co-operative Societies (ICDP), Bangalore, in place of respondent No.3. Respondent Nos.3 and 4 continued to work as Joint Registrars of Co-operative Societies, Town Bank Cell and ICDP respectively for about five months.

3.3 By order dated 05.12.2025, respondent No.3 was posted to the place of the petitioner as Joint Registrar of Co-operative Societies, Bangalore Division; the petitioner was posted in the place of respondent No.4 as Joint Registrar of Co-operative Societies (ICDP), Bangalore; and respondent No.4 was posted in the place of respondent No.3 as Joint Registrar of Co-operative Societies, Town Bank Cell.

3.4 The said order was impugned before the Tribunal contending that the transfer of the petitioner was premature and that the same was effected to accommodate respondent Nos.3 and 4. The Tribunal, referring to the approval of the Hon'ble Chief Minister and also holding that the transfer was within Bangalore city, rejected the application.

4. Sri K. Satish, learned counsel for the petitioner, submits that the petitioner was posted as Joint Registrar of Co-operative Societies, Bangalore, by order dated 27.02.2025, and that his transfer under order dated 05.12.2025, within a period of ten months, is premature and contrary to the transfer policy. Learned counsel further submits that the transfer has been effected at the instance of respondent Nos.3 and 4 in order to accommodate them. It is contended that neither *bona fides* nor

any administrative exigency exists for effecting the transfer of the petitioner.

5. Sri V. Shivareddy, learned Additional Government Advocate appearing for respondent Nos.1 and 2, submits that the transfer has been effected with the prior approval of the Hon'ble Chief Minister on account of administrative exigencies and is in accordance with law. Learned Additional Government Advocate further submits that the transfer is within Bangalore city and that no prejudice would be caused to the petitioner.

6. Sri Suresh S. Lokre, learned Senior Counsel appearing for Sri Siddanooru Vishwanath, learned counsel for respondent No.3, submits that the transfer order dated 05.12.2025 has been issued with the prior approval of the Hon'ble Chief Minister and is in conformity with the transfer guidelines. It is further submitted that respondent No.3 has taken charge as Joint Registrar of Co-operative Societies, Bangalore Division, on 06.12.2025 and that the same need not be disturbed at this stage. Learned Senior Counsel also submits that the transfer of government officials lies within the domain of the department.

7. Smt. Kshama Naragund, learned counsel appearing for Smt. Sona Vakkund, learned counsel for respondent No.4,

submits that the petitioner has been transferred within Bangalore city and that the same would not amount to a transfer. Learned counsel further submits that the transfer order has been issued with the prior approval of the Hon'ble Chief Minister for administrative purposes and in public interest, and that there is no illegality in the order of transfer.

8. We have considered the submissions made by learned counsel for the parties and perused the writ papers.

9. The sequence of events referred to hereinabove is not in dispute. The petitioner was transferred to the post of Joint Registrar of Co-operative Societies, Bangalore Division, by Notification dated 27.02.2025 (Annexure-A5) and assumed charge of the said post. Respondent No.3 was transferred as Joint Registrar of Co-operative Societies (ICDP) by Notification dated 20.09.2024.

9.1 The transfer of the petitioner on 05.12.2025 as Joint Registrar of Co-operative Societies (ICDP), Bangalore, is no doubt premature. The premature transfer is defended by the respondents by referring to the approval of the Hon'ble Chief Minister. It is no doubt true that a premature transfer can be effected with the approval of the Hon'ble Chief Minister.

However, when the exercise of such approval is not in public interest or on account of administrative exigency, this Court would be justified in interfering with the same.

9.2 The order sheet noting seeking approval of the Hon'ble Chief Minister is placed on record as Annexure-R1. The approval proceedings were initiated with the letter of the Hon'ble Chief Minister dated 15.10.2025 seeking transfer of respondent No.4, who was working as Joint Registrar of Co-operative Societies (ICDP), to the post of Joint Registrar of Co-operative Societies, Town Bank Cell, Bangalore. The recommendation was to transfer respondent No.4 in the place of respondent No.3. The entire file noting indicates the proposal to transfer respondent No.4 in the place of respondent No.3.

9.3 However, while approving the transfer of respondent No.4 in the place of respondent No.3, without assigning any reasons, respondent No.3 was approved to be posted in the place of the petitioner and the petitioner was directed to be posted in the place of respondent No.4. The proposal for transfer of the petitioner was never initiated except as reflected in the order of approval. The exercise of power, on the face of it, appears arbitrary and unjustifiable.

9.4 We note that, respondent No.3 was posted as Joint Registrar of Co-operative Societies, Town Bank Cell, Bangalore, and respondent No.4 as Joint Registrar of Co-operative Societies (ICDP), Bangalore, on 25.06.2025. The transfer of respondent Nos.3 and 4 dated 05.12.2025 is premature along with that of the petitioner. The transfer of all the three officers in the cadre of Joint Registrar of Co-operative Societies, that too within a span of less than five months from the transfer of respondent Nos.3 and 4, requires justifiable transparency and non-arbitrariness.

9.5 We find that no reasons have been assigned for such premature transfers. The entire sequence of events would indicate that the exercise undertaken under the Notification dated 05.12.2025 is to accommodate respondent Nos.3 and 4. No doubt, a government servant does not retain a right to continue service in the same place. Transfer is not a condition but an incidence of service. However, once a government servant is extended a minimum tenure, he is entitled to continue for the said minimum tenure. The exception to this rule is permitting the premature transfer with the approval of the Hon'ble Chief Minister, and it cannot be exercised arbitrarily.

9.6 In the absence of any reasons stated for the premature transfer in the approval proceedings, it is to be inferred that the approval has been granted without assigning reasons. Unless reasons are assigned to justify administrative exigency, a mere reference to public interest or administrative exigencies would not suffice. Even before this Court, no reasons have been stated for effecting the premature transfer.

9.7 The Tribunal has committed an error in not interfering with the order of transfer merely on the ground that the transfer was effected with the approval of the Hon'ble Chief Minister, without examining whether reasons are recorded for such approval.

10. Learned counsel for respondent No.3 placed reliance on the judgment of this Court in **W.P. No.3612/2025** disposed of on **22.08.2025** in **S. Venkateshappa vs. State of Karnataka and others** to contend that a premature transfer with the approval of the Hon'ble Chief Minister is permissible. The said decision is not applicable to the present case, as in that case the premature transfer was made on the recommendation of the jurisdictional MLA based on complaints received from the public and the approval was granted with reasons.

10.1 The contention of the respondents that the petitioner, having reported at the transferred place in compliance with the order of transfer, cannot now question the transfer order cannot be accepted. The order of transfer was challenged before the Tribunal and, when no interim order was granted, the petitioner preferred W.P. No.37535/2025 (S-KSAT). This Court, by order dated 12.12.2025, while requesting the Tribunal to decide the application on merits before 14.01.2026 and definitely by 30.01.2026, directed the petitioner to report to the place of posting in terms of the order dated 05.12.2025, without prejudice to his grievance. In view of the observations made by this Court, the act of the petitioner reporting at the transferred place cannot operate against him in the present petition.

11. For the aforesaid reasons, we pass the following;

Order

- (i) Writ Petition is ***allowed***.
- (ii) The order in Application No.5000/2025, dated 29.01.2026 passed by the passed by the Karnataka State Administrative Tribunal, Bangalore, is set aside.
- (iii) The Application No.5000/2025 is allowed.

- (iv) The Notification dated 05.12.2025 bearing No. CO 334 ECA 2025 (Annexure-A8) is hereby quashed insofar as transferring the petitioner from Joint Registrar, Co-operative Society, Bangalore Division, Malleswaram, Bangalore, to Joint Registrar, Co-operative Societies (ICDP), Office of the Registrar, Co-operative Societies, Bangalore.
- (v) The petitioner is to be relieved from the post of Joint Registrar, ICDP, Office of the Registrar of Co-operative Societies, Bangalore and be permitted to report to duty as Joint Registrar Co-operative Societies, Bangalore Division, Malleswaram, Bangalore, forthwith.
- (vi) No order as to costs.

Pending I.A., if any, stands disposed of.

**Sd/-
(S.G.PANDIT)
JUDGE**

**Sd/-
(K. V. ARAVIND)
JUDGE**