

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

**DATED THIS THE 11<sup>TH</sup> DAY OF JUNE 2010**

**BEFORE**

**THE HON'BLE MR.JUSTICE H.G.RAMESH**

**WRIT PETITION Nos.13223-13233/2009 (CS-RES)**

**BETWEEN:**

- 1 THE MANDYA CITY  
CO-OPERATIVE BANK LTD  
MANDYA, BY THE SECRETARY
- 2 SHREE MURUGARJENDRA  
CO-OPERATIVE BANK LTD.,  
NO. 759/2, BT GALLI  
DAVANAGERE-577 001  
BY THE MANAGER
- 3 SHREE BASAVESHWARA PATTANNA SAHAKARA BANK  
SHIRIKOPPA  
SHIMOGA  
BY THE SECRETARY
- 4 SRI KADASIDDDESHWARA PATTANA  
SAHALAKRI BANK NIYAMITHA  
BANHATHI-587 311  
BY THE MANAGER
- 5 SRI BASAVESHWARA CO-OPERATIVE BANK LTD.,  
BASAVANA BAGEWADI  
BY THE MANAGER
- 6 THE BAGALKOT CO-OPERATIVE BANK LTD.,  
VPM PREMISES  
BAGALKOT-587 101  
BY THE MANAGER
- 7 THE HOSPET CO-OPERATIVE BANK LTD.,  
Y.NO.1583, PATEL NAGAR



and Court Fee Stamps of Rs. \_\_\_\_\_  
is affixed.

HOSPET-583 201  
BY THE CHIEF EXECUTIVE OFFICER

8 THE SHIMSHA SAHAKARA BANK NIYAMITHA  
MADDUR  
BY THE MANAGER

9 SREE BHYRAVESHWARA SAHAKARA BANK NIYAMITHA  
SS PURAM MAIN ROAD  
TUMKUR-572 102  
BY THE DIRECTOR

10 SRI KRISHNA RAJENDRA CO-OPERATIVE BANK LTD.,  
N.MADHAVA RAO CIRCLE  
MYSORE-570 004  
BY THE MANAGER

11 PRAGATHI CO-OPERATIVE BANK LIMITED  
12/1, 1<sup>ST</sup> MAIN  
MALLESWARAM  
BANGALORE-560 003  
BY THE MANAGER

... PETITIONERS

(BY SRI SAILESH, ADV. FOR  
M/S.TARAKARAM ASSOCIATES, ADVS.)

**AND:**

1 THE STATE OF KARNATAKA  
CO-OPERATIVE DEPARTMENT  
M.S.BUILDINGS  
BANGALORE  
BY THE SECRETARY

2 DIRECTOR OF CO-OPERATIVE AUDIT  
ALI ASKER ROAD  
BANGALORE

... RESPONDENTS

(BY SRI ZAHEER AHMED, AGA)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLE  
226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH  
THE NOTIFICATION DT. 8.3.2007 ANNEX-B PASSED BY THE  
FIRST RESPONDENT STATE GOVERNMENT AND ETC.



THESE WRIT PETITIONS COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP THIS DAY, THE COURT MADE THE FOLLOWING:

**ORDER**

Heard. After arguing the matter for some time, learned counsel appearing for the petitioners rightly submits that the writ petitions may be disposed of with liberty to the petitioners to make a representation to respondent No.2-the Director of Co-operative Audit to re-consider the fee scale fixed by him relating to Audit fees payable by Co-operative Banks whose deposits are less than Rupees Twenty Five Crores. Prima facie, the submission of the counsel that the present fee scale insofar as the aforesaid class of banks are concerned is violative of Article 14 of the Constitution of India cannot be said to be without substance. Accordingly, I direct the Director of Co-operative Audit to re-consider the fee-scale in accordance with law by taking note of the facts stated in the representation that would be submitted by the petitioners within four weeks from today. The Director of

*[Handwritten signature]*



Co-operative of Audit shall consider the representation within four months from the date of its receipt.

Petitions disposed of.

Sd/-  
Judge



TRUE COPY.

Shree ...

Section Officer  
High Court of Karnataka  
Bangalore Bench Only.

22/3/10

- 1. The date on which the application was made.
- 2. The date on which charges and additional charges, if any, are called for.
- 3. The date on which charges and additional charges, if any, are deposited.
- 4. The date on which the copy is ready.
- 5. The date of notifying that the copy is ready for delivery.
- 6. The date on which the applicant is required to appear on or before.
- 7. The date on which the copy is delivered to the applicant.
- 8. The date on which the copy is delivered to the applicant.