



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 24836 OF 2016 (GM-CC)

BETWEEN

T N JAGADEESH

[REDACTED]

.... PETITIONER

(BY SRI. SHRIDHAR N. HEGDE., ADVOCATE)

AND

1. CHAIRMAN / DEPUTY COMMISSIONER
THE DISTRICT CASTE AND INCOME
VERIFICATION COMMITTEE,
BAGALKOTE-587 101
BAGALKOT DISTRICT

2. TAHASILDAR
OFFICE OF TAHASILDAR
BAGALKOTE-587 101
BAGALKOT TALUK
BAGALKOT DISTRICT

3. SRI RAJAKUMAR Y BILAGI

[REDACTED]





4. COMMISSIONER
BACKWARD CLASSES WELFARE
DEPARTMENT,
NO.16/D, DEVARAJ US BHAVAN
III FLOOR, VASANTH NAGAR
BANGALORE-560 052

.... RESPONDENTS

(BY SRI. MAHANTESH SHETTAR., AGA FOR R1 & R2;
SRI. S.S. HALLI., ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS PERTAINING TO ORDER DATED 25.11.2015 OF THE R-4 AT ANNE-A AND ORDER DATED 19.07.2010 OF R-1 AT ANNEX-D AND PERUSE THE SAME AND ETC.

THIS WRIT PETITION COMING ON FOR ORDERS AND HAVING BEEN RESERVED FOR ORDERS ON 27.11.2025, THIS DAY, THE COURT PRONOUNCED THE FOLLOWING:
CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

CAV ORDER

1. The Petitioner is before this Court seeking for the following reliefs:

a) Call for the records pertaining to Order bearing No. Him Va Ka Ni/Ma Sha/C.R-12/2011-12 dated 25.11.2015 of the fourth Respondent at Annexure-A and order No. D.O.B C.M./ACT/2010-11 dated 19.7.2010 of Respondent No.1 at Annexure-D and peruse the same;

b) Quash the order bearing No. Him Va Ka Ni/Ma Sha/C.R-12/2011-12 dated 25.11.2015 of the fourth respondent at Annexure-A and order No. D.O.B.C.M./Act/2010-11 dated 19.7.2010 of R1 at Annexure-D, by issue of writ of certiorari or any other order of direction, as case may be;



c) Grant such other suitable reliefs as this Hon'ble court deems fit, in the circumstance of the case.

2. The petitioner states that he has been serving as a Police Constable since his appointment in the year 1998. He belongs to the Vishwakarma community, which falls under Category 2A of the Other Backward Classes. It is alleged that respondent No.3, in fact, belongs to the Lingayat caste, which does not fall under Category 2A.
3. In the year 2009, pursuant to a Government Notification inviting applications for recruitment to the post of Police Sub-Inspector (PSI), both the petitioner and respondent No.3 applied for the said post. According to the petitioner, respondent No.3 secured selection during the recruitment process of 2010-11 by falsely representing that he belonged to the Lingayat Ganiga community, which is classified under Category 2A.



4. Aggrieved by the said selection, the petitioner submitted a complaint before respondent No.4 – the Commissioner, Backward Classes Welfare Department. Pursuant thereto, respondent No.1 – the District Caste and Income Verification Committee, which conducted an inquiry and, by order dated 16.06.2010, rejected the request for issuance of a caste certificate under Category 2A in favour of respondent No.3. In the said order, respondent No.1 recorded that the relevant documents pertaining to the father, brother, and sister of respondent No.3 were verified and all such records reflected their caste as “Lingayat,” with no reference to “Lingayat Ganiga.”
5. Respondent No.3 preferred an appeal before respondent No.4. By order dated 13.07.2010, the appellate authority allowed the appeal and remanded the matter to respondent No.1 for fresh consideration



after affording an opportunity to respondent No.3 to produce all relevant documents.

6. Upon remand, respondent No.1 observed that there was a correction/insertion in the school records of respondent No.3 indicating his caste as "Lingayat Ganiga." Proceeding on the presumption that such correction was made pursuant to a valid order, respondent No.1, by order dated 19.07.2010, directed issuance of a caste certificate under Category 2A in favour of respondent No.3. The order also records that the President of the Akhila Bharath Ganigara Sangha had recommended issuance of the caste certificate.
7. The order dated 19.07.2010 passed by respondent No.1 was challenged before the appellate authority. However, the appeal came to be dismissed by order dated 25.11.2015. It is challenging the orders dated 19.07.2010 and 25.11.2015 that the petitioner is before this Court seeking the aforesaid reliefs.



8. Sri.Shridhar N.Hegde, learned counsel for the petitioner, would submit that:

8.1. The impugned order dated 19.07.2010 passed by respondent No.1 is illegal, arbitrary, perverse, and contrary to the material available on record. The said order suffers from non-application of mind and warrants interference by this Court.

8.2. Respondent No.1, while noticing that there was an insertion/correction in the school records of respondent No.3, proceeded on the presumption that such correction must have been made pursuant to a valid order. However, no material whatsoever was placed on record to demonstrate that any competent authority had directed such correction. It is submitted that in the absence of any documentary evidence authorising the alteration in the school records,



respondent No.1 could not have relied upon the said correction. The finding is therefore based on assumption and conjecture, rendering the order unsustainable in law.

- 8.3. It is further contended that the school records pertaining to the father, sister, cousin-sister, brother, and cousin-brother of respondent No.3 uniformly reflect their caste as "Hindu Lingayat." Only in respect of respondent No.3, the caste entry has been overwritten. The original entry "Hindu Lingayat" is shown to have been altered by inserting the word "Ganiga" below it, thereby making it appear as "Hindu Lingayat Ganiga." Learned counsel submits that such overwriting is ex facie suspicious and appears to have been effected solely to claim the benefit of reservation under Category 2A, which is applicable to the Ganiga community. The reliance placed by respondent



No.1 on such altered records, without proper verification or inquiry into the legality of the correction, is wholly unjustified.

8.4. He relies on the decision of the Hon'ble this Court (Dharwad Bench) in the case of ***Sangappa vs. the Commissioner for Backward Classes and others***¹ more particularly Paras 2, 4, 10, 28, 29, 30, which are reproduced hereunder for easy reference:

2. The respondent No.4 who preferred an appeal before the first respondent, the appellate authority under Section 4-D of the Karnataka Scheduled Castes and Scheduled Tribes and other Backward Classes (Reservation of Appointments, etc.,) Act, 1990, hereinafter referred to as 'the Act' for short and he challenged the issuance of validation certificate bearing No.BCM/JA.A.PA:R:98:05-06 dated 21.10.2005 issued by the Deputy Commissioner and Chairman, District Caste and Income Verification Committee, Bagalkot for reservation benefit under category 2A and petitioner availed the said benefit for the post of Gazetted Probationers Group-A and B called for by the Karnataka Public Service Commission. The first respondent by the order dated 23.1.2006 allowed the appeal and the certificate issued by the Income and Caste Verification Committee, Bagalkot dated 21.10.2005 in favour of the petitioner has been set aside and further directed

¹ WP No.1449/2006 dtd 13.6.2017



to launch criminal prosecution against the petitioner. Being aggrieved of which, the present writ petition is filed.

4. *The respondent No.4 contended in the appeal before the first respondent that petitioner belonged to Lingayat Community and hence he is not entitled for the benefit under Category 2A. The first respondent had issued notice and in pursuance of the same, the petitioner entered appearance through an advocate and made application for vacating the interim order. The first respondent instead of vacating stay, directed the respondent No.3 the District Officer, Backward Class and Minorities, Bagalkot to submit records. On issuance of such a direction, the respondent No.3 forwarded several documents. The petitioner stated, he was not given opportunity either to go through the records produced by the respondent No.3 or the school register etc., and without providing the fullest opportunity to go through the records produced by the respondent No.3, the respondent No.1 the appellate authority has passed the impugned order dated 23.1.2006 as per Annexure-D as aforesaid.*

10. *It is further stated that children inherits the caste of the father. The petitioner had admitted that his father belongs to Lingayat Community and when the father belongs to Lingayat Community as per the school records, the petitioner's caste shall also be Lingayat and not a Ganiga. When the documents of father namely the school records of the father discloses that he belongs to Lingayat Community, as against the same, report submitted by the third respondent dated 17.12.2005 addressed to the first respondent authority that the caste of father of the petitioner is Hindu Lingayat as per the primary school records and reiterates that the procedure followed in*



issuing the validity certificate to the petitioner as Ganiga under 2A. The respondent No.3 has not at all verified about the petitioner's father caste during his enquiry on 20.10.2005. The first respondent has gone through the records, written arguments and after hearing the oral arguments of both sides and on the power vested under Section 4-D(2) of the Act and Rules 7(5) of Rule 1982, has passed the order. As per Rule 7(j), the appeal is to be disposed of within 45 days taking note of the same, the appeal was disposed on 23.1.2006 when it was filed on 5.12.2005 within 50 days. Hence there is no arbitrariness or non application of mind on the side of the respondent No.1.

28. *In the light of the above judgment, it is made very clear that the certificates of the father of the petitioner are more probative value and not the certificate of the petitioner himself. The certificate of father of the petitioner shows he belongs to particular caste and therefore the petitioner cannot claim a different caste, for the benefit, for which he is not entitled.*

29. *The petitioner has stated before the Respondent No.1 that grandfather of the petitioner was not educated and he has not entered the caste of the petitioner's father as Hindu Ganiga cannot be accepted. The grandfather may be innocent or illiterate that does not mean, he could give a false statement. He must have shown proper caste of the petitioner's father. On the other hand, if the caste of the petitioner's father was wrong, it was open for him at the stage of completion of degree or even thereafter to get it rectified, that has not been done. This itself shows that grandfather of the petitioner, though he may be illiterate, he was innocent, but he*



has furnished the correct caste of father of the petitioner. In the circumstances, submission of the petitioner that caste of the petitioner is to be rectified as Hindu Ganiga cannot be accepted.

30. *The other submission of the petitioner that the first respondent should have remanded the matter to the 2nd and 3rd respondents for reexamination has no merit. Remanding the matter to the subordinate authorities comes only when the disputed fact has not been assessed by collecting evidence or materials etc., In the instant case, no such things are made out. The question before the first respondent was whether the certificate issued by the Tahsildar was genuine and further whether the petitioner obtained genuine certificate. In order to resolve these two issues, the relevant document examined by the first respondent is the report submitted by the 2nd and 3rd respondent. Initially the 2nd and 3rd respondent stated that the petitioner does belong to Hindu Ganiga and entitled for reservation. But the first respondent having not satisfied with the same, he further directed the 2nd and 3rd respondents to secure the school certificates of father of the petitioner. That showed that petitioner's father certificate showed that he belonged to Lingayat & Lingavantha, which was of undisputed point of time, in the year 1951. When caste of father of petitioner was clarified and cleared, question of remanding again to the 2nd and 3rd respondent does not arise. Remanding the case without any reason is also arbitrary. It cannot be automatic. There is no circumstance to warrant remand.*



- 8.5. By relying on **Sangappa v. Commissioner for Backward Classes**, he submits that the caste reflected in the school records and certificates of the father carries greater probative value than the caste certificate subsequently obtained by the claimant. If the father's contemporaneous records disclose a particular caste, the son cannot ordinarily claim to belong to a different caste for the purpose of availing reservation benefits.
- 8.6. The judgment reiterates the settled principle that a child ordinarily inherits the caste of the father. Therefore, when the father's school records disclose that he belongs to "Lingayat," a subsequent claim by the son that he belongs to "Ganiga" under Category 2A cannot be sustained in the absence of cogent and legally admissible material.



8.7. He submits that this Court disapproved reliance on later corrections or claims unsupported by valid documentary proof. It was observed that where original records of an undisputed point of time reflect a particular caste, subsequent attempts to alter or reinterpret such entries, without lawful rectification, cannot be accepted.

8.8. The Court further held that remand is not automatic. Where the relevant material, particularly the father's school records, is already available and determinative of the issue, directing remand would be unwarranted and arbitrary.

8.9. Relying upon the above principles, learned counsel submits that:

8.9.1. The school records of the father, brother, sister and other close relatives of respondent No.3 uniformly reflect their caste as "Hindu Lingayat."



- 8.9.2. Only in the case of respondent No.3, there is an overwriting inserting the word "Ganiga" beneath "Hindu Lingayat," without any lawful order authorising such correction.
- 8.9.3. In light of the principle that the father's contemporaneous records prevail, respondent No.3 cannot claim a different caste for the purpose of availing benefits under Category 2A.
- 8.9.4. Respondent No.1, instead of applying the binding ratio of the above judgment, wrongly relied upon the altered school entry and presumed its validity without enquiry.
- 8.9.5. It is therefore contended that the impugned order dated 19.07.2010 is contrary to the law laid down by this Court and is liable to be set aside.



8.10. He relies on the decision of the this Court in the case of ***Mallikarjunappa vs. The State of Karnataka and others***² more particularly Paras 10 and 13, which are reproduced hereunder for easy reference:

10. *What is required to be seen is whether the petitioner would get any undue benefit by a change in the name of the caste of the petitioner as also whether the change of the caste is supported by the affidavits which have been placed on record. It is not in dispute that the caste of the petitioner in the education records was shown as Lingayat Ganiga. However, when the petitioner filed an application for issuance of Caste Certificate filed in the year 2003 the petitioner had categorically brought to the notice of the concerned authorities that the entry of the caste of the petitioner in the School records is wrongly made as Lingayat Ganiga and had sought for issuance of Caste Certificate in the name of Ganiga. It is further stated that respondent No.7-Tahsildar had issued such a certificate. Thereafter, the petitioner sought for rectification of the school records which resulted in filing of a suit where the petitioner succeeded. In the appeal, the judgment passed in the suit was set aside and second appeal had been filed by the petitioner and he was relegated to avail the remedies available under the Act of 1990 and in terms of Rules 1992. In that view of the matter, the petitioner had made an application before respondent No.2 i.e., District Caste and Income Verification Committee.*

² WP No.45872/2017 dtd 1.4.2025



13. *On enquiry whether Ganiga or Lingayat Ganiga would be entitled for different reservation under Article 15(4) and for employment under Article 16(4), learned AGA submits that there is no differentiation in the reservation which is available and all the benefits which are available either under Article 15(4) or 16(4) in respect of Ganiga or Lingayat Ganiga are same in nature.*

8.11. Learned counsel for the petitioner places reliance upon the decision of this Court in **Mallikarjunappa v. State of Karnataka**, and submits that when a correction or alteration in caste description is sought, the determinative consideration is whether such change would confer any undue advantage and whether the change is supported by legally acceptable material. In that case, although the petitioner's educational records initially reflected "Lingayat Ganiga," he had subsequently asserted that the entry was erroneous and sought issuance of a caste certificate as "Ganiga." The matter underwent scrutiny through civil proceedings



and thereafter before the District Caste and Income Verification Committee under the statutory framework.

8.12. It was held that there was no distinction in the nature of reservation benefits available to "Ganiga" and "Lingayat-Ganiga" under Articles 15(4) and 16(4) of the Constitution. The benefits were the same in character and extent.

8.13. Applying **Mallikarjunappa** to the present matter he submits that:

8.13.1. Any alteration in caste description must withstand statutory scrutiny and must not be a device to secure reservation benefits.

8.13.2. The question is not merely nomenclature, but whether the change is genuine, supported by lawful procedure, and free from manipulation.



8.13.3. If the alteration from “Lingayat” to “Lingayat Ganiga” or “Ganiga” is unsupported by valid authority or credible ancestral evidence, the same cannot be accepted.

8.14. It is therefore contended that respondent No.1 ought to have examined whether the alleged correction in the school records of respondent No.3 was lawfully effected and whether such correction conferred an unwarranted advantage in securing appointment under Category II-A.

8.15. He relies on the decision of the Hon’ble Supreme Court in the case of ***M.V.Chandrakanth vs. Sangappa and others***³ more particularly Paras 12, 31 to 36, which are reproduced hereunder for easy reference:

12. The Appellant filed an appeal under Section 4D of the Karnataka Scheduled Castes, Scheduled Tribes

³ 2022 SCC OnLine SC 934



and Other Backward Classes (Reservation of Appointments, etc.) Act, 1990, hereinafter referred to as "SC/ST and OBC Reservation Act" before the Respondent No. 2 challenging the Caste Validity Certificate issued to the Respondent No. 1 by the Respondent No. 3. In the said appeal, the Appellant enclosed the school extract of Government Higher Primary School, Honnihala, Bagalokote wherein the caste of the Respondent No. 1's father was recorded as 'Hindu Lingayat'.

31. *It appears that the finding of the Single Bench that the earlier notification in which Category II-A comprised many castes of which Ganiga was one, did not include Lingayat-Ganiga is misconceived. In the Government notification issued on 3rd March 2002, Category II-A comprised of Ganiga and other castes without referring to Lingayat Ganigas. Subsequently, on 27th January 2009, an order was issued by the Government of Karnataka to the effect that 19 sub-castes within Veerashaiva Lingayat were included in Category III-B. One of the castes so brought under Category III-B was Lingayat/Veerashaiva-Ganiga. Subsequently, however the Government issued a Notification on 28th February 2009 to the effect that the caste in Serial No. 1 to 12 and 14 to 19 which were included in Category III-B as per the order/notification dated 27th January 2009 were deleted from the Category III-B and restored to the earlier position prevailing before 27th January 2009.*

32. *As observed by the Division Bench, the order dated 27th January 2009 shows that 19 sub-castes of Lingayat/Veerashaiva were included in Category III-B. One of the sub-castes was 'Lingayat/Veerashaiva-Ganiga'. However, by another notification issued within a month that is 28th February 2009, the caste mentioned in Serial*



Nos. 1 to 12 and 14 to 19 Category III-B were deleted and the position prevailing before 27th January 2009 was restored. Lingayat/Veerashaiva-Ganiga was deleted. The intent of the order was to extend the benefit of reservation under Category II-A to the Lingayat-Ganigas also.

33. *The Division Bench found that the finding of the Single Judge that Hindu-Ganiga and Lingayat-Ganiga were two different castes was not possible to accept. A Lingayat is also a Hindu governed by the Hindu Succession Act 1956, the Hindu Marriage Act 1955, the Hindu Minority and Guardianship Act 1956 and the Hindu Adoption and Maintenance Act 1956. The caste of the Respondent No. 1 was thus shown as 'Hindu-Lingayat' in the school registers by the Respondent No. 1's father.*

34. *The Division Bench was correct in its finding that, the mere fact that the Caste Verification Committee gave a report of about 16 candidates in a few days cannot be a reason to doubt the correctness of the report. The Division Bench found that the report was made in accordance with the provisions of SC/ST and OBC Reservation Act.*

35. *Furthermore, during the pendency of the Writ Petition, Respondent No. 1 produced a registered document of the year 1909 where the caste of the great grandfather of the Respondent No. 1 was shown as 'Ganiger'. The said document was taken on record by the Writ Court, but there was no discussion about it in the impugned order. The document is relevant in that it proves the caste of the Respondent No. 1 to be 'Ganiga'. 'Ganiger' is a variant of the word 'Ganiga' found in north Karnataka region. Respondent No. 1 had also relied upon caste certificates issued to the relatives of the Respondent No. 1 showing their caste as 'Ganiga'.*



*36. The Respondent No. 1 also referred to an order of this Court in Lawrence Salvador D'Souza v. State of Maharashtra (**Civil Appeal No. 6539/2016**), where this Court directed the Committee to consider the caste certificate of the niece of the Appellant in that case for making a report about his caste. In this case, the Appellant has produced a number of caste certificates of his relatives indicating their caste as 'Hindu-Ganiga'. After perusing the documents produced, this Court held that since the caste of the forefather of the Appellant was mentioned as 'Ganiger', an inference may be drawn with the help of this document that the caste of the Appellant was also 'Ganiga'.*

8.16.By relying on **M.V. Chandrakanth v.**

Sangappa, he submits that the Hon'ble Supreme Court noted that in proceedings under Section 4D of the Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of Appointments, etc.) Act, 1990, the school records of the father assume evidentiary significance. In that case, the extract of the Government Higher Primary School reflected the caste of the claimant's



father as "Hindu Lingayat," which was relied upon in determining caste status.

8.17.The Hon'ble Supreme Court examined a series of Government Notifications:

8.17.1. The Notification dated 03.03.2002, wherein Category II-A included "Ganiga" and other castes without reference to Lingayat-Ganiga.

8.17.2. The Order dated 27.01.2009, whereby 19 sub-castes of Veerashaiva Lingayat, including Lingayat/Veerashaiva-Ganiga, were included under Category III-B.

8.17.3. The subsequent Notification dated 28.02.2009, which deleted the said entries from Category III-B and restored the earlier position.

8.18.Learned counsel for the petitioner submits that respondent No.3 is misleading the authorities



by contending that he belongs to the "Lingayat-Ganiga" category and thereby claiming the benefit of reservation under Category II-A.

8.19. The contemporaneous records of the father and other family members uniformly reflect their caste as "Hindu Lingayat." There is no independent, legally established material to demonstrate that respondent No.3 belongs to the Ganiga community.

8.20. Mere insertion or overwriting in the school records of respondent No.3 cannot convert a person belonging to the Hindu Lingayat community into "Lingayat-Ganiga" so as to claim reservation benefits.

8.21. Relying upon **M.V. Chandrakanth**, learned counsel contends that classification must be strictly in accordance with the notified categories and supported by authentic ancestral records. Since respondent No.3 belongs to



Hindu Lingayat, he cannot claim the status of Lingayat-Ganiga without cogent proof establishing such sub-caste identity.

8.22. Accordingly, it is submitted that respondent No.3 has wrongly secured the benefit under Category II-A, and the impugned orders upholding the caste certificate are liable to be set aside. The writ petition, therefore, deserves to be allowed.

9. Sri.S.S.Halli, learned counsel for Respondent No.3 submits that:

9.1. Referring to the Government Order dated 03.03.2002, learned counsel submits that "Ganiga" is included at Sl. No.78 under Category II-A. Therefore, a person belonging to the Ganiga caste is entitled to the benefit of reservation under Category II-A.

9.2. It is contended that in the case of respondent No.3, the caste validity certificate under



Category II-A was issued only after due verification of all relevant documents and upon consideration of the local enquiry report submitted by the Taluka Backward Classes and Minorities Officer. The issuance of the certificate was thus preceded by statutory scrutiny.

9.3. The school records of respondent No.3, including the Primary School certificate, reflect his caste as "Hindu Ganiga." These contemporaneous entries support his claim.

9.4. It is further submitted that on the basis of such caste records, respondent No.3 was appointed as a Police Constable and subsequently selected and appointed as a Police Sub-Inspector. He has completed nearly 15 years of service as on 08.11.2025. His appointment and continued service were based upon valid caste certification, which has never been set aside in accordance with law.



- 9.5. Learned counsel draws attention to various documents including the birth certificate, school admission register, Transfer Certificates from Primary School, 7th Standard and 10th Standard, and the school leaving certificate, all of which indicate the caste of respondent No.3 as "Ganiga."
- 9.6. Reference is also made to the Transfer Certificates of the sisters of respondent No.3, wherein their caste is recorded as "Ganiga," and to caste certificates issued in the names of the father, sister and brother reflecting the caste as "Ganiga." It is therefore contended that the entire family belongs to the Ganiga community and respondent No.3 is no exception.
- 9.7. A local enquiry having been conducted under Section 4A of the Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes



(Reservation of Appointments, etc.) Act, 1990, and a validity certificate having been issued pursuant thereto, the same carries statutory sanctity and cannot be lightly interfered with.

9.8. It is further submitted that the petitioner has unsuccessfully challenged the caste status of respondent No.3 in multiple proceedings. Having failed in earlier rounds, the petitioner cannot persist with repeated challenges on the same issue.

9.9. With regard to the allegation of interpolation in the school records, learned counsel submits that the entry was made pursuant to a Circular dated 26.10.2015, which directed recording of caste details at the Block Education Officer level. The insertion, therefore, cannot be characterised as an unauthorised or suspicious alteration.



9.10. Ganiga is a subset of Lingayat and would be entitled for the reservation as indicated and in this regard, he relies upon the decision of this Court in the case of ***Prabhushankar K.V., vs. Selection Committee for Medical Colleges & others⁴***, more particularly para 5 thereof which is reproduced hereunder for easy reference:

5. Learned Counsel for the petitioner submits that the petitioner does belong to Ganiga community though by faith he is a Lingayat. In my opinion, the fact that the petitioner was Lingayat was not sufficient to reject the claim of the petitioner that he belonged to Ganiga Community. It was not disputed on behalf of the Selection Committee that among Lingayats also there could be persons who belong to Ganiga Community just as there were "Lingayats who belonged to Kuruhina Setty Community (Naige or weavers). In the case of Somashekhar Veerappar B. Murgod v. The State of Karnataka [AIR. 1980 Kar. 63.] the question for consideration was whether a person who belonged to Kuruhina Setty community could be treated as belonging to backward community even if the concerned candidate was also a Lingayat. After referring to the report of the Backward Class commission it was held that persons who belonged to Kuruhina Setty Community could not be denied reservation on the ground that they had accepted the Lingayat faith. The same principle holds good in the present case also. In fact it was not and it could not be disputed on behalf of the selection

⁴ (1981) 1 Kant LJ 255



committee that if the petitioner in addition to being a Lingayat was also a Ganiga he was entitled to be considered for selection against one of the seats reserved for backward communities. However, as already stated the reason for rejection of the claim of the petitioner was that in the transfer certificate, the community of the petitioner was mentioned only as Lingayat and not as Ganiga Learned Counsel appearing for the petitioner submitted that before Ganigas were declared as backward community, and special provisions were made in their favour the petitioner had given his community as Lingayat in the school records and the same entry had been carried forward in the transfer certificate issued after the Pre-University examination.

9.11.By relying on **Prabhushankar K.V. v. Selection Committee for Medical Colleges,** he submits that

9.11.1. The mere description of a candidate as “Lingayat” in school records is not sufficient to reject a claim that he belongs to a specific backward sub-caste within the Lingayat fold.

9.11.2. It was recognised that among Lingayats there may exist distinct occupational or



community groups such as Ganiga or Kuruhina Setty.

9.11.3. A candidate cannot be denied reservation merely because he professes the Lingayat faith, if he otherwise belongs to a recognised backward sub-community.

9.11.4. In that case, rejection of the claim solely on the ground that the transfer certificate mentioned only "Lingayat" and not "Ganiga" was held to be unsustainable.

9.12. His submission is that the petitioner's attempt to treat "Lingayat" and "Ganiga" as mutually exclusive categories is legally untenable. A person may simultaneously be a Lingayat by religion and a Ganiga by caste/community classification. If respondent No.3 belongs to the



Ganiga community within the Lingayat fold, he is entitled to reservation under Category II-A irrespective of the broader religious descriptor "Lingayat." Thus, it is contended that the existence of entries describing respondent No.3 or his family as "Lingayat" does not ipso facto negate their status as "Ganiga," particularly when other documents and statutory verification support such classification.

9.13.He also relies on the decision of the Hon'ble Supreme Court in the case of ***M.V.Chandrakanth vs. Sangappa and others***⁵, more particularly Paras 28, 29 and 30 and 31, which are reproduced hereunder for easy reference:

28. *In Prabhushankar v. Selection Committee for Medical Colleges (supra), a Single Bench of Karnataka High Court held:—*

⁵ 2022 SCC OnLine SC 934



"6. In my view there is nothing unnatural in the conduct of the petitioner or his parents in not indicating that the petitioner apart from being a Lingayat also belonged to Ganiga Community, as no one knew at that stage that special provisions would be made in their favour and omission to do so does not preclude the petitioner from claiming the benefit of reservation if in truth the petitioner belongs to Ganiga community as indicated in the certificate issued by the Tahsildar who is the competent authority to issue the necessary certificate.

7. In the face of the certificate issued by the Tahsildar, it was not open for the Selection Committee to reject the claim of the petitioner on the mere ground that in the transfer certificate the community of the petitioner was shown as Lingayat as the possibility of a Lingayat being a Ganiga could not be excluded. Therefore in the absence of any other material evidence before the Selection Committee on the basis of which it could have come to the conclusion that the positioner did not belong to Ganiga Community, the application could not have been rejected. Therefore, the petitioner is entitled to the reconsideration of his case."

29. *The Division Bench analysed the facts of the case but found that reservation to backward classes had not been introduced when the Respondent No. 1's father had been admitted to school in 1953. By the time the Appellant came to be admitted to school, Reservation Policy for backward classes had been introduced. This could be the reason why the caste was not entered in the school records of the Respondent No. 1's father where only 'Lingayat' was mentioned but in the case of the Respondent No. 1 the caste was mentioned as 'Hindu-Ganiga'*



30. *The Division Bench rightly held that, if the Respondent No. 1's father was, in fact, Ganiga, the mere fact that his caste may not have been mentioned in his school records, or elsewhere, would not mean that he would have to be treated as a non-Ganiga by caste. The Division Bench referred to a report of the Karnataka Backward Classes Commission constituted under the Chairmanship of L.J. Havanur and in particular Paragraph 11 thereof which reads:—*

"11. Veerashaivas (Lingayats) claim to belong to a religion of their own, though legally they are considered as a Hindu denomination. It originated by uniting certain caste-blocks, and has grown by adding new ones which did not accept the principle of status or rank ascribed by birth. The unit of endogamy amongst veerashaivas in principle, is their denominational community, but in the process of expanding itself into a still larger community, it has allowed, perhaps, the new entrants to retain their autonomy and identity. That appears to be the reason why we find separate religious heads and monasteries of each section widespread in the State. The cases of those caste-units who have not yet been wholly assimilated into, or are half-way to, the Veerashaiva community but who could be readily identified and whose population could be ascertained have been considered separately. Such cases include the Ganigas (oil pressers), the Kumbaras (potters), the Kshowrikas (barbers), the Agasas (washermen), some Neygis (weavers), etc."

31. *It appears that the finding of the Single Bench that the earlier notification in which Category II-A comprised many castes of which Ganiga was one, did not include Lingayat-Ganiga is misconceived. In the Government notification issued on 3rd March 2002, Category II-A comprised of Ganiga and other castes without referring to Lingayat Ganigas. Subsequently,*



on 27th January 2009, an order was issued by the Government of Karnataka to the effect that 19 sub-castes within Veerashaiva Lingayat were included in Category III-B. One of the castes so brought under Category III-B was Lingayat/Veerashaiva-Ganiga. Subsequently, however the Government issued a Notification on 28th February 2009 to the effect that the caste in Serial No. 1 to 12 and 14 to 19 which were included in Category III-B as per the order/notification dated 27th January 2009 were deleted from the Category III-B and restored to the earlier position prevailing before 27th January 2009.

9.14.Learned counsel for respondent No.3 also places reliance upon the judgment of the Hon'ble Supreme Court in **M.V. Chandrakanth v. Sangappa**, and submits that

9.14.1. A mere omission in earlier school records to specify a sub-caste such as "Ganiga" does not preclude a candidate from subsequently establishing that he in fact belongs to that community.

9.14.2. The possibility of a person being both "Lingayat" by religion and "Ganiga" by caste cannot be excluded.



- 9.14.3. In the absence of contrary material, a caste certificate issued by the competent authority cannot be rejected solely because earlier school records described the individual or his father only as "Lingayat."
- 9.14.4. If the father was in fact Ganiga, the non-mention of such sub-caste in school records at a time when reservation policy had not yet assumed significance would not extinguish the caste identity.
- 9.14.5. The Hon'ble Supreme Court also referred to the Havanur Commission Report, recognising that certain occupational groups such as Ganigas historically existed within or alongside the broader Lingayat/Veerashaiva fold, sometimes retaining distinct identity.



9.15. Relying further upon the analysis of Government Notifications in **M.V. Chandrakanth**, learned counsel submits:

- 9.15.1. Under the Government Notification dated 03.03.2002, "Ganiga" was included in Category II-A without specifically referring to "Lingayat-Ganiga."
- 9.15.2. By Order dated 27.01.2009, certain sub-castes within Veerashaiva Lingayat, including Lingayat/Veerashaiva-Ganiga, were included under Category III-B.
- 9.15.3. Subsequently, by Notification dated 28.02.2009, the earlier position was restored by deleting those entries from Category III-B, thereby reinstating their status under Category II-A.

9.16. It is therefore contended that the argument that "Lingayat-Ganiga" was excluded from



Category II-A is misconceived. The legislative and executive intent, as recognised by the Supreme Court, was to ensure that Lingayat-Ganigas are not deprived of the benefit available to Ganigas under Category II-A. He therefore submits:

- 9.16.1. Respondent No.3 belongs to the Lingayat-Ganiga community.
- 9.16.2. His caste certificate has been issued after due statutory enquiry under Section 4A.
- 9.16.3. The family records, including certificates of father and siblings, consistently show Ganiga.
- 9.16.4. The petitioner has failed to produce any conclusive material disproving respondent No.3's Ganiga status.

9.17. It is therefore urged that no grounds are made out for interference under Articles 226 and 227



of the Constitution, and the writ petition is liable to be dismissed.

10. Heard Sri.Shridhar N.Hegde, learned counsel for the Petitioner, Sri.Mahantesh Shetter, learned AGA for Respondents No.1 and 2 and Sri.S.S.Halli, learned counsel for Respondent No.3 and perused papers.

11. The points that would arise for determination are:

- 1) **Whether respondent No.3 has established that he belongs to the "Ganiga" community falling under Category II-A, or whether the material on record demonstrates that he belongs to the "Hindu Lingayat" community not entitled to such benefit?**
- 2) **In determining caste identity, what is the evidentiary weight to be accorded to:**
 - a) **the contemporaneous school records of the father,**
 - b) **subsequent entries and alleged alterations in respondent No.3's records, and**
 - c) **caste certificates and local enquiry reports?**
- 3) **Whether, in law, "Lingayat" and "Ganiga" are mutually exclusive identities, or**



whether Ganiga may subsist as a distinct caste group within the broader Lingayat fold, having regard to the Government Notifications and judicial precedents relied upon?

- 4) **Whether the impugned orders dated 19.07.2010 and 25.11.2015, passed under the Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of Appointments, etc.) Act, 1990, suffer from illegality, procedural irregularity, perversity, or non-application of mind warranting interference under Articles 226 and 227 of the Constitution of India?**

5) What Order?

12. I answer the above points as follows:

13. **Answer to Point No. 1: Whether respondent No.3 has established that he belongs to the "Ganiga" community falling under Category II-A, or whether the material on record demonstrates that he belongs to the "Hindu Lingayat" community not entitled to such benefit?**

13.1. Sri. Shridhar N. Hegde, learned counsel appearing for the petitioner, would submit that respondent No.3, namely Sri Rajakumar Y Bilagi, does not in truth and in fact belong to



the Ganiga community which is classified under Category II-A of the Other Backward Classes. It is the categorical contention of the petitioner that respondent No.3 belongs to the Hindu Lingayat community, which is not entitled to the benefit of reservation under Category II-A.

13.2. Learned counsel for the petitioner places considerable emphasis on the school records of the father, brother, sister, cousin-sister and cousin-brother of respondent No.3. According to him, all such records uniformly and consistently reflect the caste of the family members of respondent No.3 as "Hindu Lingayat." He submits that the school records are contemporaneous documents and are prepared at or about the time of admission, without any prospect of future advantage or benefit being in contemplation. Therefore, these



records constitute the most reliable and authentic evidence of the caste of the family.

13.3. It is specifically pointed out that only in respect of respondent No.3, the caste entry in the school admission register has been subjected to an overwriting or insertion. The original entry "Hindu Lingayat" is stated to have been altered by the insertion of the word "Ganiga" below it, thereby making it appear as "Hindu Lingayat Ganiga." Learned counsel characterises this overwriting as ex facie suspicious and contends that such alteration appears to have been effected for the sole and exclusive purpose of enabling respondent No.3 to claim the benefit of reservation under Category II-A, which is available to the Ganiga community.

13.4. It is further submitted that respondent No.1, the District Caste and Income Verification Committee, while passing the impugned order



dated 19.07.2010, noticed that there was a correction or insertion in the school records of respondent No.3. However, instead of requiring respondent No.3 to produce any order or authority from a competent body authorising such correction, respondent No.1 proceeded on the presumption that such correction must have been made pursuant to a valid order. Learned counsel submits that this presumption is wholly unwarranted and is not supported by any documentary evidence whatsoever. In the absence of any material demonstrating that a competent authority had directed the alteration in the school records, the finding of respondent No.1 is based on assumption, surmise and conjecture, rendering the order unsustainable in law.

13.5. Learned counsel for the petitioner also draws attention to the initial order dated 16.06.2010



passed by respondent No.1, wherein the request for issuance of a caste certificate under Category II-A in favour of respondent No.3 was rejected. In the said order, respondent No.1 itself had recorded that the relevant documents pertaining to the father, brother and sister of respondent No.3 were verified, and all such records reflected their caste as "Lingayat," with no reference to "Lingayat Ganiga" or "Ganiga." Learned counsel submits that this initial finding by respondent No.1, which was based on a thorough verification of family records, was correct and ought not to have been reversed upon remand without any fresh or additional material being placed on record to warrant a different conclusion.

13.6. It is contended that the appellate authority, respondent No.4, by order dated 13.07.2010, allowed the appeal of respondent No.3 and



remanded the matter for fresh consideration. However, upon remand, no new or additional material was placed on record by respondent No.3 that could justify a departure from the earlier finding. The only material that appears to have weighed with respondent No.1 upon remand was the alleged correction in the school records and the recommendation of the President of the Akhila Bharath Ganigara Sangha. Learned counsel submits that the recommendation of a community association cannot substitute for documentary proof emanating from official records, and that such recommendation is, at best, an opinion and not evidence of caste.

13.7. Accordingly, it is submitted that respondent No.3 has failed to establish that he belongs to the Ganiga community. The overwhelming weight of documentary evidence, consisting of



the school records of the father, siblings and other relatives of respondent No.3, demonstrates that the family belongs to the Hindu Lingayat community. The solitary altered entry in the school records of respondent No.3, unsupported by any lawful order of correction, cannot form the basis of a valid caste certificate under Category II-A.

13.8. Per contra, Sri. S.S. Halli, learned counsel appearing for respondent No.3, submits that respondent No.3 in truth and in fact belongs to the Ganiga community, which is classified under Category II-A of the Other Backward Classes, as per the Government Order dated 03.03.2002. He points out that "Ganiga" is included at Serial No.78 under Category II-A, and therefore a person belonging to the Ganiga caste is entitled to the benefit of reservation thereunder.



13.9. Learned counsel draws attention to the fact that the caste validity certificate under Category II-A was issued in favour of respondent No.3 only after due and proper verification of all relevant documents. He submits that the Taluka Backward Classes and Minorities Officer conducted a local enquiry, and upon consideration of the enquiry report and the supporting documents, the caste certificate was duly issued. The issuance of the certificate was thus preceded by statutory scrutiny under the provisions of the Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of Appointments, etc.) Act, 1990 (hereinafter referred to as "the Act of 1990").

13.10. With regard to the documentary evidence, learned counsel for respondent No.3 draws the attention of this Court to the following records which, according to him, uniformly and



consistently reflect the caste of respondent No.3 and his family as "Ganiga":

- 13.10.1. The birth certificate of respondent No.3;
- 13.10.2. The school admission register, wherein the caste is recorded as "Hindu Ganiga";
- 13.10.3. The Transfer Certificates from Primary School, 7th Standard and 10th Standard;
- 13.10.4. The school leaving certificate;
- 13.10.5. The Transfer Certificates of the sisters of respondent No.3, wherein their caste is recorded as "Ganiga";
- 13.10.6. Caste certificates issued in the names of the father, sister and brother of respondent No.3, reflecting the caste as "Ganiga."



13.11. On the basis of the aforesaid documents, learned counsel submits that the entire family of respondent No.3 belongs to the Ganiga community, and respondent No.3 is no exception. The documentary record is not confined to a single isolated document but encompasses multiple records prepared at different points of time by different authorities, all of which consistently reflect the caste as Ganiga.

13.12. It is further submitted that respondent No.3 was initially appointed as a Police Constable and subsequently selected and appointed as a Police Sub-Inspector, based upon the said caste certification. He has completed nearly 15 years of service as on 08.11.2025. His appointment and continued service were predicated upon the validity of the caste certificate, which has never



been set aside in any proceedings in accordance with law.

13.13. Learned counsel further contends that the petitioner has unsuccessfully challenged the caste status of respondent No.3 in multiple proceedings. Having failed in earlier rounds of litigation, the petitioner cannot be permitted to persist with repeated challenges on the same issue, thereby harassing respondent No.3 who has been rendering public service for over a decade and a half.

13.14. With regard to the allegation of interpolation in the school records, learned counsel submits that the entry was made pursuant to a Circular dated 26.10.2015, which directed recording of caste details at the Block Education Officer level. The insertion, therefore, was in compliance with an administrative directive and



cannot be characterised as an unauthorised or suspicious alteration.

13.15. Accordingly, it is submitted that respondent No.3 has established, through a preponderance of documentary evidence, statutory verification and administrative scrutiny, that he belongs to the Ganiga community under Category II-A, and the caste certificate issued in his favour is valid and subsisting.

13.16. This Court has carefully considered the rival submissions and examined the material on record. The central question is whether respondent No.3 has established that he belongs to the Ganiga community classified under Category II-A, or whether the record demonstrates that he belongs to the Hindu Lingayat community not entitled to such benefit.



13.17. It is settled law that caste determination is essentially a question of fact. The burden of establishing entitlement to reservation benefits lies upon the person who claims such benefit. The competent authority is required to consider all material in a holistic manner and arrive at a reasoned conclusion.

13.18. The documentary material reveals two strands of evidence. The school records of the father and certain family members reflect the caste as "Hindu Lingayat." Conversely, respondent No.3 has produced his birth certificate, school admission register, Transfer Certificates, school leaving certificate, caste certificates issued in favour of family members, and other supporting records reflecting the caste as "Ganiga" or "Hindu Ganiga."

13.19. It is true that the order dated 19.07.2010 reveals that respondent No.1 relied, inter alia,



on a correction/insertion in the school records of respondent No.3 without calling for the order under which such correction was made. The approach adopted in this regard cannot be said to be procedurally rigorous.

13.20. However, the question does not rest solely upon the altered school entry. Respondent No.3 has placed multiple independent documents on record reflecting the caste as "Ganiga," including certificates pertaining to siblings and other family members. These documents have not been demonstrated to be fabricated or invalid. The caste certificates issued to family members, unless set aside in accordance with law, carry evidentiary value.

13.21. The father's school records describing the caste as "Lingayat" cannot be treated as conclusively excluding Ganiga identity. As recognised in judicial precedents discussed earlier, Ganiga



may subsist as a distinct occupational caste group within the broader Lingayat fold. The mere absence of the sub-caste description in earlier records does not, by itself, negate the existence of such sub-group identity.

13.22. The documentary evidence produced by respondent No.3, taken cumulatively, establishes a consistent description of the family as belonging to the Ganiga community. The inconsistency in certain earlier records does not outweigh the totality of material supporting the Ganiga identity, particularly in the absence of any conclusive proof that the subsequent documents are fabricated or manipulated.

13.23. Furthermore, respondent No.3 has served in public employment for approximately 14 years as a Police Sub-Inspector on the strength of the caste validity certificate. His appointment was made after statutory verification, and the



certificate has not been annulled in appropriate proceedings. Long and uninterrupted service, though not decisive of caste status, is a relevant equitable consideration where the material on record supports the claimed identity.

13.24. While the enquiry conducted by respondent No.1 upon remand may not have been procedurally impeccable, the substantive documentary evidence on record is sufficient for this Court to conclude that respondent No.3 has established his identity as belonging to the Ganiga community under Category II-A.

13.25. Accordingly, this Court holds that respondent No.3 has satisfactorily established that he belongs to the Ganiga community classified under Category II-A of the Other Backward Classes. The inconsistencies in certain ancestral records do not dislodge the cumulative



evidentiary weight of the documents produced by him.

13.26. I answer Point No.1 by holding that the caste status of respondent No.3 as Ganiga under Category II-A stands established on the material available, and no ground is made out for interference with the impugned orders.

14. Answer to Point No. 2: In determining caste identity, what is the evidentiary weight to be accorded to: (a) the contemporaneous school records of the father, (b) subsequent entries and alleged alterations in respondent No.3's records, and (c) caste certificates and local enquiry reports?

14.1. Sri. Shridhar N. Hegde, learned counsel for the petitioner, submits that contemporaneous school records of the father of a claimant constitute the most reliable and probative evidence in caste verification proceedings. Such records are prepared at or about the time of school admission, at a stage when reservation



benefits were either non-existent or had no bearing on the declaration of caste. They therefore reflect the genuine and unembellished caste identity of the family.

14.2. In support of this proposition, reliance is placed on the decision of this Court (Dharwad Bench) in **Sangappa v. Commissioner for Backward Classes**. It is submitted that this Court therein held:

14.2.1. That the school records and certificates of the father carry greater probative value than subsequent certificates obtained by the claimant himself.

14.2.2. That where the father's contemporaneous records reflect a particular caste, the claimant cannot ordinarily assert a different caste identity



for the purpose of availing reservation benefits.

14.2.3. That if the entry in the father's records was incorrect, it was open to the father to seek rectification at the relevant time; failure to do so reinforces the presumption of correctness of the original entry.

14.2.4. That remand is not automatic when determinative material, particularly the father's school records, is already available.

14.3. Learned counsel further places reliance upon the judgment of the Hon'ble Supreme Court in **M.V. Chandrakanth v. Sangappa**. It is submitted that the Supreme Court recognised the evidentiary relevance of the father's school records in proceedings under Section 4D of the



Act of 1990 and treated such contemporaneous entries as significant material in determining caste status.

14.4. Reliance is also placed upon the decision of this Court in **Mallikarjunappa v. State of Karnataka**, wherein it was held that any alteration in caste description must withstand statutory scrutiny and cannot be a device to secure reservation benefits. An alteration from "Lingayat" to "Lingayat Ganiga" or "Ganiga," if unsupported by valid authority or credible ancestral evidence, cannot be accepted merely on assertion.

14.5. On the basis of the aforesaid authorities, learned counsel submits that:

14.5.1. The contemporaneous school records of the father carry the highest evidentiary



value and form the foundational document for determining caste identity;

14.5.2. Subsequent entries, corrections or alterations in the claimant's records, particularly where unsupported by any lawful order, cannot override the father's contemporaneous records; and

14.5.3. Caste certificates and local enquiry reports which contradict the father's school records must be subjected to strict scrutiny and cannot be accepted in the absence of independent and reliable corroboration.

14.6. It is therefore contended that where the father's school records uniformly describe the caste as "Hindu Lingayat," a later assertion of "Ganiga" identity, unsupported by legally authenticated ancestral material, cannot form



the basis for conferring reservation benefits under Category II-A.

14.7. Sri. S.S. Halli, learned counsel appearing for respondent No.3, submits that while the school records of the father are undoubtedly relevant in caste verification proceedings, they cannot be treated as the sole and conclusive determinant of caste identity. He contends that where multiple independent documents, including the school records of the claimant, school records of siblings, caste certificates issued by competent authorities, and reports of local enquiry officers, consistently reflect a particular caste, such cumulative evidence must be assessed holistically.

14.8. In support of this submission, reliance is placed upon the decision of the Hon'ble Supreme Court in **M.V. Chandrakanth v. Sangappa**. It is submitted that:



- 14.8.1. The Hon'ble Supreme Court recognised that reservation policy for backward classes was not in force at the time when the father in that case was admitted to school. The non-mention of the sub-caste in earlier records was therefore explainable and not decisive.
- 14.8.2. It was held that if the father was, in fact, Ganiga, the mere absence of such description in his school records would not render the family non-Ganiga by caste.
- 14.8.3. The Court referred to the Havanur Commission Report, which acknowledged that occupational groups such as Ganigas historically existed within or alongside the broader Lingayat/Veerashaiva fold.



14.9. Learned counsel further relies upon the decision of this Court in **Prabhushankar K.V. v. Selection Committee for Medical Colleges**, wherein it was held that the mere description of a candidate as “Lingayat” in school records does not automatically negate a claim that the candidate belongs to a recognised backward sub-caste within the Lingayat fold. The Court recognised that Lingayat is a broad denominational identity within which distinct occupational or community groups such as Ganiga may subsist.

14.10. On the strength of the aforesaid authorities, learned counsel submits that:

14.10.1. The father’s school records, though relevant, are not conclusive, particularly where the absence of sub-caste description is attributable to historical and policy context;



14.10.2. Subsequent records of the claimant and siblings, prepared at a time when sub-caste classification carried legal significance, are equally relevant and cannot be disregarded; and

14.10.3. Caste certificates issued by competent authorities after statutory enquiry carry a presumption of correctness and cannot be lightly interfered with in writ jurisdiction, unless shown to be vitiated by fraud, perversity, or patent illegality.

14.11. This Court has carefully considered the rival submissions and the authorities cited by both sides on the question of evidentiary weight to be accorded to different categories of evidence in caste verification proceedings. The question is of considerable importance and requires a principled analysis.



14.12. The law is well-settled that in matters of caste determination, school records constitute important evidence. This is because school records are ordinarily prepared at or about the time of admission of a student, on the basis of information furnished by the parent or guardian, and are contemporaneous documents that are maintained in the ordinary course of institutional record-keeping. They are not prepared with any future benefit in contemplation and are therefore generally considered reliable indicators of the caste of the student and his or her family.

14.13. The school records of the father of respondent No.3, as verified during the initial enquiry, describe the caste as "Hindu Lingayat." These records are contemporaneous and unaltered and therefore carry substantial evidentiary weight. Ordinarily, such records would



constitute strong foundational material in determining caste identity.

14.14. However, the evidentiary value of these records must be assessed not in isolation but in the context of the legal principles governing sub-caste recognition. As clarified by the Hon'ble Supreme Court in ***M.V. Chandrakanth***, the absence of a specific sub-caste description in the father's school records, particularly at a time when the reservation policy had not assumed practical or legal relevance, does not conclusively establish that the family did not belong to such a sub-caste. The broader descriptor "Lingayat" may have been socially and administratively sufficient at the relevant historical moment. It cannot therefore, be presumed that the omission of "Ganiga" from the father's school records reflects a denial of Ganiga identity.



14.15. It is equally significant that the father's school records do not contain any express statement negating Ganiga identity; they merely reflect the broader denominational description "Lingayat." The law emerging from ***Prabhushankar*** recognises that within the broader Lingayat fold there may exist distinct occupational or community sub-groups such as Ganiga. The broader descriptor, by itself, is not exclusionary. Therefore, while the father's records carry high probative value, they cannot be treated as determinative of the absence of Ganiga identity unless accompanied by additional material negating such sub-group affiliation.

14.16. Turning to the documentary material produced by respondent No.3, this Court notes that the claim of Ganiga identity is not founded solely upon an altered school entry. Respondent No.3



has placed on record multiple independent documents reflecting the caste as "Ganiga" or "Hindu Ganiga." These include:

- 14.16.1. His birth certificate;
- 14.16.2. School admission register entries;
- 14.16.3. Transfer Certificates and school leaving certificates;
- 14.16.4. Caste certificates issued in favour of family members;
- 14.16.5. Records pertaining to siblings consistently describing the caste as Ganiga.

14.17. The consistency of these documents across different time periods and institutions lends cumulative corroborative strength to the claim.

14.18. The alleged alteration in the school record of respondent No.3 was rightly viewed with caution. However, the caste determination in the present case does not hinge exclusively



upon that altered entry. Even if the altered entry is excluded from consideration, the remaining documentary material, viewed cumulatively, supports the Ganiga identity of the family. The petitioner has not demonstrated that these documents are fabricated, fraudulently obtained, or vitiated by misrepresentation.

14.19. The caste certificates issued in favour of respondent No.3 and his family members were granted pursuant to statutory enquiry under the Act of 1990. Such certificates carry a presumption of correctness unless successfully challenged. No independent proceedings have resulted in the cancellation of those certificates. The mere existence of earlier records using a broader descriptor does not automatically invalidate certificates issued after statutory verification.



14.20. The reconciliation of apparent documentary inconsistency must therefore be undertaken in a reasoned manner. On one side stand the father's contemporaneous school records describing the caste as "Lingayat." On the other hand multiple later documents, including statutory caste certificates, describing the caste as "Ganiga." In the absence of evidence of fraud, the Court must assess whether the cumulative documentary pattern supports one conclusion more convincingly than the other.

14.21. In the considered view of this Court, the subsequent and consistent recognition of the family as Ganiga across multiple institutional records, coupled with statutory verification proceedings, outweighs the inference sought to be drawn from the non-mention of the sub-caste in the father's school records. The historical context, namely, that sub-caste



specification acquired legal significance only upon the introduction of reservation benefits, provides a rational explanation for the earlier use of the broader descriptor.

14.22. The law does not elevate paternal school records to the status of irrebuttable proof. Rather, they constitute highly probative but rebuttable evidence. In the present case, that evidentiary presumption stands sufficiently counterbalanced by consistent, corroborated and statutorily recognised documentation establishing Ganiga identity.

14.23. Additionally, respondent No.3 has served in public employment for approximately fifteen years on the basis of the caste validity certificate. While length of service cannot create caste identity, it reinforces the necessity of judicial restraint where the documentary evidence substantively supports the claimed



identity and no fraud has been demonstrated. To unsettle such long-standing service on the basis of an interpretative dispute regarding evidentiary hierarchy would not advance the cause of justice.

14.24. This Court is therefore satisfied that the evidentiary matrix, when viewed holistically and in light of governing precedent, establishes that respondent No.3 belongs to the Ganiga community falling under Category II-A. The father's school records, though significant, do not conclusively negate this conclusion.

14.25. **Accordingly, I answer Point No.2 by holding that:**

14.25.1. **Contemporaneous paternal school records carry substantial probative value but are not conclusively determinative of sub-caste identity;**



14.25.2. **Subsequent documentary material, if consistent, corroborated and statutorily recognised, may rebut the inference arising from broader ancestral descriptors;**

14.25.3. **In the present case, the cumulative documentary evidence satisfactorily establishes that respondent No.3 belongs to the Ganiga community under Category II-A.**

15. **Answer to Point No. 3: Whether, in law, "Lingayat" and "Ganiga" are mutually exclusive identities, or whether Ganiga may subsist as a distinct caste group within the broader Lingayat fold, having regard to the Government Notifications and judicial precedents relied upon?**

15.1. Sri. Shridhar N. Hegde, learned counsel for the petitioner, submits at the outset that he does not dispute, as a matter of sociological possibility, that distinct occupational or sub-



caste groups may exist within the broader Lingayat fold. His contention, however, is confined to the factual matrix of the present case. According to him, the family records of respondent No.3, particularly the contemporaneous school records of the father, uniformly describe the caste as "Hindu Lingayat" without any reference to the Ganiga sub-caste.

15.2. Relying upon the judgment of the Hon'ble Supreme Court in **M.V. Chandrakanth v. Sangappa**, learned counsel draws attention to the series of Government Notifications examined therein:

15.2.1. **Notification dated 03.03.2002** – wherein Category II-A included "Ganiga" as a distinct caste, without specific reference to "Lingayat-Ganiga."



15.2.2. Government Order dated 27.01.2009

– whereby 19 sub-castes within Veerashaiva Lingayat, including “Lingayat/Veerashaiva-Ganiga,” were temporarily included under Category III-B.

15.2.3. Notification dated 28.02.2009 –

which deleted those entries from Category III-B and restored the earlier classification.

15.3. Learned counsel submits that these notifications demonstrate that “Ganiga” is recognised as an occupational caste classified under Category II-A, distinct in nomenclature and classification from the broader religious community of “Lingayat.” The temporary movement of “Lingayat/Veerashaiva-Ganiga” to Category III-B and its subsequent restoration establishes the sensitivity and specificity of



caste categorisation under the statutory framework.

15.4. According to the petitioner, the distinction is legally significant. While it may be true that a person belonging to the Ganiga caste may also profess the Lingayat faith, the converse proposition does not automatically follow. Not every individual described as "Lingayat" can claim to belong to the Ganiga sub-caste. The petitioner emphasises that caste classification for the purpose of reservation is not determined by religious affiliation alone but by established sub-caste identity.

15.5. It is therefore contended that, in the absence of any contemporaneous reference to "Ganiga" in the father's school records or ancestral documents, the attempt to equate the broader descriptor "Lingayat" with the specific sub-caste "Ganiga" is legally untenable. The petitioner



submits that respondent No.3 cannot derive sub-caste identity merely from the fact that Ganigas may exist within the Lingayat fold. The existence of such sub-groups in general does not establish that this particular family belongs to that sub-group.

15.6. Learned counsel thus submits that, in the present factual context, the consistent description of the family as "Hindu Lingayat" in primary records negates the claim of respondent No.3 to belong to the Ganiga community, and that the broader sociological possibility of coexistence cannot substitute for specific proof.

15.7. Sri. S.S. Halli, learned counsel appearing for respondent No.3, submits that "Lingayat" and "Ganiga" are not mutually exclusive identities. According to him, Ganiga is a distinct occupational caste group which may subsist



within the broader Lingayat/Veerashaiva fold, and a person may simultaneously be a Lingayat by religious affiliation and a Ganiga by caste classification.

- 15.8. In support of this contention, reliance is placed upon the decision of this Court in **Prabhushankar K.V. v. Selection Committee for Medical Colleges**, wherein it was held that the mere description of a candidate as "Lingayat" in school records does not justify rejection of a claim that he belongs to the Ganiga community. This Court recognised that within the Lingayat fold there exist distinct occupational or community groups such as Ganiga and Kuruhina Setty. It was held that a candidate cannot be denied reservation merely because he professes the Lingayat faith, if he otherwise belongs to a recognised backward sub-community.



15.9. Learned counsel further relies upon the observations of the Hon'ble Supreme Court in **M.V. Chandrakanth v. Sangappa**. The Hon'ble Supreme Court endorsed the principle laid down in **Prabhushankar** and observed that the broader descriptor "Lingayat" does not preclude the existence of a distinct sub-caste identity such as Ganiga.

15.10. The Hon'ble Supreme Court, while examining the issue, referred to the Havanur Commission Report, which recognised that certain occupational groups — including Ganigas (oil pressers), Kumbaras (potters), Kshowrikas (barbers), and Agasas (washermen), historically existed within the Veerashaiva/Lingayat fold while retaining separate identity. The report noted that although Veerashaivas claim denominational unity, the community historically evolved by



incorporating distinct caste-blocks that retained social and occupational distinctiveness.

15.11. Learned counsel submits that the sociological and legal recognition of Ganiga as a distinct occupational caste within the Lingayat fold negates the petitioner's contention that the use of the broader descriptor "Lingayat" in ancestral records conclusively excludes Ganiga identity.

15.12. Attention is also drawn to the relevant Government Notifications. The Notification dated 03.03.2002 includes "Ganiga" under Category II-A. The temporary inclusion of "Lingayat/Veerashaiva-Ganiga" under Category III-B by Notification dated 27.01.2009, followed by its deletion by Notification dated 28.02.2009 restoring the earlier classification, demonstrates the State's recognition that Lingayat-Ganigas are to be treated as part of



the Ganiga community for the purpose of reservation benefits under Category II-A.

15.13. Learned counsel therefore submits that the petitioner's attempt to treat "Lingayat" and "Ganiga" as mutually exclusive categories is legally unsustainable. The proper legal inquiry is not whether a Lingayat can be a Ganiga in abstract terms, but whether respondent No.3 has established that he belongs to the Ganiga sub-caste within the Lingayat fold. If so, he is entitled to the benefits of Category II-A.

15.14. This Court has carefully considered the submissions of both sides and the authorities cited on this important question of law. The issue is not merely academic. The determination whether "Lingayat" and "Ganiga" are mutually exclusive identities has direct bearing on caste verification proceedings across



the State and must therefore be answered on principled and precedential foundations.

15.15. The starting point of the analysis is the sociological and historical structure of the Lingayat/Veerashaiva community in Karnataka. It is a broad religious denomination which, historically, has encompassed within it several occupational and caste groups. The Havanur Commission Report, extracted and relied upon by the Hon'ble Supreme Court in **M.V. Chandrakanth v. Sangappa**, records that the Veerashaiva/Lingayat community evolved by incorporating distinct caste-blocks, many of which retained their occupational and social identity even while participating in a common denominational framework.

15.16. The Commission specifically identified Ganigas (oil pressers), Kumbaras (potters), Kshowrikas (barbers), Agasas (washermen), and other such



groups as caste-units that historically existed within or alongside the Veerashaiva fold while maintaining separate identity.

15.17. The decision of this Court in **Prabhushankar K.V. v. Selection Committee for Medical Colleges** is a seminal authority on this issue. It was categorically held therein that the mere description of a person as "Lingayat" does not preclude him from belonging to a distinct backward sub-caste such as Ganiga. This Court recognised that denominational identity and caste identity may operate simultaneously. A person may profess the Lingayat faith and yet belong to a specific occupational caste within that fold.

15.18. In **Prabhushankar**, it was further observed that prior to the introduction of reservation benefits, there was no practical necessity to specify sub-caste identity in school records. The



broader descriptor “Lingayat” would have been socially and administratively sufficient. That observation is directly relevant to cases such as the present one, where the father’s school records contain the broader descriptor without sub-caste qualification.

15.19. The Hon’ble Supreme Court in **M.V. Chandrakanth v. Sangappa** expressly endorsed the principles laid down in **Prabhushankar**. At paragraphs 28 to 30, the Hon’ble Supreme Court recognised that the absence of a sub-caste description in earlier records does not conclusively negate such identity. The Hon’ble Supreme Court held that if the father was in fact Ganiga, the non-mention of that sub-caste in school records prepared before reservation policy became legally relevant would not compel a conclusion that the family is non-Ganiga.



15.20. The Hon'ble Supreme Court also examined the relevant Government Notifications:

15.20.1. The Notification dated 03.03.2002 classifying "Ganiga" under Category II-A;

15.20.2. The Order dated 27.01.2009 temporarily including Lingayat/Veerashaiva-Ganiga under Category III-B;

15.20.3. The Notification dated 28.02.2009 restoring the earlier classification.

15.21. The Hon'ble Supreme Court observed that the legislative and executive intent underlying these notifications was not to exclude Lingayat-Ganigas from the benefits available to Ganigas, but to ensure proper classification. The brief reclassification and immediate restoration demonstrate recognition that Lingayat-Ganigas form part of the Ganiga community for reservation purposes.



15.22. At paragraph 33 of ***M.V. Chandrakanth***, the Hon'ble Supreme Court rejected the proposition that Hindu-Ganiga and Lingayat-Ganiga constitute mutually exclusive castes. The Hon'ble Supreme Court observed that denominational identity (Lingayat) does not erase occupational caste identity (Ganiga). The broader religious descriptor does not extinguish the specific caste classification.

15.23. In light of the above authorities, this Court holds that as a matter of law:

15.23.1. "Lingayat" and "Ganiga" are not mutually exclusive identities;

15.23.2. Ganiga is a distinct occupational caste which may subsist within the broader Lingayat/Veerashaiva fold;

15.23.3. A person may simultaneously be Lingayat by religious affiliation and Ganiga by caste classification;



15.23.4. The description “Hindu Lingayat” in school records does not, by itself, negate Ganiga identity.

15.24. However, this recognition must be applied with care. The fact that Ganigas may exist within the Lingayat fold does not mean that every Lingayat can claim Ganiga identity. The coexistence of identities is a matter of legal possibility; the establishment of such identity in a given case is a matter of proof.

15.25. The authorities are therefore required to conduct a careful and evidence-based enquiry in each case where a claimant described in ancestral records as “Lingayat” asserts Ganiga identity. The enquiry must examine documentary consistency, familial records, statutory certificates, and historical context. Mere assertion is insufficient; credible and verifiable evidence is required.



15.26. The Government Notifications analysed in ***M.V. Chandrakanth*** further reinforce that Lingayat-Ganigas are not to be denied the benefits available to Ganigas under Category II-A. The restoration of classification under the Notification dated 28.02.2009 reflects the State's recognition that Lingayat-Ganigas fall within the Ganiga grouping for reservation purposes.

15.27. **Accordingly, I answer Point No.3 by holding that "Lingayat" and "Ganiga" are not mutually exclusive identities. Ganiga may subsist as a distinct caste group within the broader Lingayat fold. A person described as "Lingayat" in ancestral records may, upon proof, establish Ganiga identity within that fold.**

15.28. **In the present case, as already held under Points No.1 and 2, the documentary**



material on record sufficiently establishes that respondent No.3 belongs to the Ganiga community under Category II-A. The broader descriptor “Lingayat” in certain ancestral records does not negate that conclusion.

16. **Answer to Point No. 4: Whether the impugned orders dated 19.07.2010 and 25.11.2015, passed under the Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of Appointments, etc.) Act, 1990, suffer from illegality, procedural irregularity, perversity, or non-application of mind warranting interference under Articles 226 and 227 of the Constitution of India?**

16.1. Sri. Shridhar N. Hegde, learned counsel for the petitioner, submits that the impugned order dated 19.07.2010 passed by respondent No.1 and the appellate order dated 25.11.2015 passed by respondent No.4 are vitiated by serious legal infirmities warranting interference under Articles 226 and 227 of the Constitution of India.



16.2. **Non-Application of Mind:** It is contended that the order dated 19.07.2010 suffers from patent non-application of mind. Respondent No.1, upon noticing a correction or insertion in the school records of respondent No.3, proceeded on the assumption that such correction must have been made pursuant to a valid order. No document evidencing such authorisation was produced. A quasi-judicial authority cannot act on presumption; it is bound to record findings based on material placed before it. The failure to insist upon production of the authorising order and the acceptance of the altered entry at face value is submitted to be legally impermissible.

16.3. **Illegality in Compliance with Remand:** Learned counsel further submits that the appellate authority, by order dated 13.07.2010, had remanded the matter for fresh



consideration after affording opportunity to respondent No.3 to produce all relevant material. The remand was intended to ensure a thorough and proper enquiry. However, upon remand, respondent No.1 did not conduct a comprehensive reassessment of the evidence. Instead, it is contended, the authority accepted the altered entry without verification. This amounts to failure to comply with the terms and spirit of the remand order and constitutes illegality.

16.4. **Alleged Perversity:** It is further submitted that the order is perverse. In the earlier order dated 16.06.2010, respondent No.1 had concluded, after verification of family records, that the caste reflected was "Lingayat." Upon remand, without any materially cogent new evidence, the authority reversed its own finding. According to the petitioner, reversal of



a finding without substantial additional material demonstrates perversity and arbitrariness.

16.5. **Procedural Irregularity:** The petitioner also contends that respondent No.1 relied upon the recommendation of the President of the Akhila Bharath Ganigara Sangha. It is submitted that the Act of 1990 and the Rules framed thereunder do not contemplate caste determination on the basis of recommendations from community associations. Such reliance, without independent documentary corroboration, constitutes procedural irregularity.

16.6. **Deficiencies in the Appellate Order:** With regard to the appellate order dated 25.11.2015, it is submitted that the appellate authority failed to address the specific grounds urged before it. The appellate authority was required to examine:



- 16.6.1. Whether respondent No.1 complied with the remand directions;
- 16.6.2. Whether reliance on the altered school entry was justified;
- 16.6.3. Whether the cumulative evidence supported the conclusion reached.
- 16.7. The petitioner submits that the appellate order does not adequately engage with these contentions and is therefore unsustainable.
- 16.8. Placing reliance upon **Sangappa v. Commissioner for Backward Classes, Mallikarjunappa v. State of Karnataka**, and **M.V. Chandrakanth v. Sangappa**, learned counsel submits that the impugned orders are liable to be quashed as being contrary to settled principles governing caste verification proceedings.



16.9. Sri. S.S. Halli, learned counsel appearing for respondent No.3, submits that the impugned orders dated 19.07.2010 and 25.11.2015 do not suffer from any illegality, procedural irregularity, perversity, or non-application of mind. It is contended that no ground is made out for interference in exercise of this Court's writ jurisdiction under Articles 226 and 227 of the Constitution of India.

16.10. Learned counsel submits that pursuant to the remand order dated 13.07.2010, respondent No.1 conducted a proper enquiry, afforded opportunity to respondent No.3 to produce additional material, and considered all documents placed on record. These included the school records of respondent No.3, his birth certificate, Transfer Certificates, and caste certificates issued in favour of family members. The finding that respondent No.3 belongs to the



Ganiga community was not based solely on the altered school entry but on a cumulative assessment of documentary evidence.

16.11. With regard to the allegation of non-application of mind, learned counsel submits that respondent No.1 examined the relevant material in detail and recorded reasons for accepting the Ganiga identity of respondent No.3. The authority considered that the school records of respondent No.3 reflected "Hindu Ganiga," that the Transfer Certificates recorded "Ganiga," and that caste certificates issued to family members corroborated the same. The order demonstrates conscious consideration of the evidentiary material and cannot be characterised as mechanical or presumptive.

16.12. As regards the allegation of perversity, learned counsel contends that the reversal of the earlier finding dated 16.06.2010 was justified. Upon



remand, respondent No.3 was afforded an opportunity to produce further material, and additional documents were indeed placed on record. A fresh assessment based on expanded evidentiary material cannot be termed perverse merely because it results in a different conclusion. The authority was entitled to re-evaluate the matter in light of the new material.

16.13. With respect to the scope of judicial review, learned counsel submits that in proceedings under Articles 226 and 227, this Court does not sit in appeal over findings of fact recorded by statutory authorities. The Court's jurisdiction is limited to examining jurisdictional errors, violation of principles of natural justice, or patent illegality apparent on the face of the record. Re-appreciation of evidence is impermissible unless the findings are



demonstrably irrational or unsupported by any material.

16.14. Placing reliance upon **Prabhushankar K.V. v. Selection Committee for Medical Colleges** and **M.V. Chandrakanth v. Sangappa**, learned counsel submits that the impugned orders are consistent with the legal position that Lingayat and Ganiga are not mutually exclusive identities and that cumulative documentary evidence may establish Ganiga status notwithstanding broader ancestral descriptors.

16.15. It is therefore submitted that the impugned orders represent a reasoned determination based on material placed before the statutory authorities, and no ground is made out for interference in writ jurisdiction.

16.16. Before examining the alleged infirmities, it is necessary to reiterate the settled contours of



writ and supervisory jurisdiction. Under Articles 226 and 227 of the Constitution, this Court does not function as a court of appeal over findings of fact recorded by statutory authorities. The jurisdiction is supervisory and corrective, not substitutive.

16.17. Interference is warranted only where the impugned decision suffers from:

16.17.1. Lack of jurisdiction or excess of jurisdiction;

16.17.2. Violation of principles of natural justice;

16.17.3. Patent illegality or error of law apparent on the face of the record;

16.17.4. Perversity i.e., a conclusion that no reasonable authority properly instructed in law could have reached on the material available;



16.17.5. Manifest non-application of mind resulting in prejudice.

16.18. The Court is not concerned with whether another view is possible. So long as the view taken by the authority is a plausible view supported by material on record, writ interference is impermissible.

16.19. The principal attack of the petitioner is that respondent No.1 presumed the validity of a correction in the school records of respondent No.3 without insisting upon production of a formal authorising order. It is correct that the impugned order does not record production of a separate administrative order authorising the correction. However, a close reading of the order demonstrates that the authority did not base its conclusion solely or substantially upon the altered entry. The authority considered:



- 16.19.1. School records of respondent No.3;
- 16.19.2. Transfer Certificates reflecting "Ganiga";
- 16.19.3. Birth certificate entries;
- 16.19.4. Caste certificates issued to family members;
- 16.19.5. Material placed upon remand;
- 16.19.6. The overall pattern of documentary consistency.

16.20. The altered school entry formed part of the evidentiary matrix but was not the exclusive foundation of the finding. The decision was based on cumulative documentary assessment. In such circumstances, the absence of separate verification of the correction order does not, by itself, amount to non-application of mind sufficient to vitiate the entire proceeding.



16.21. Non-application of mind must be established by demonstrating that the authority failed to consider relevant material or relied solely upon irrelevant material. That threshold is not crossed in the present case.

16.22. The appellate authority, by order dated 13.07.2010, remanded the matter for fresh consideration after affording respondent No.3 opportunity to produce additional material. The record discloses that respondent No.3 was indeed afforded such opportunity and additional documentary material was placed on record. The authority re-evaluated the matter in light of the expanded record. A remand order requires reconsideration; it does not dictate the outcome. The fact that respondent No.1 ultimately arrived at a conclusion different from its earlier order dated 16.06.2010 does not establish non-compliance. What is required is a



fresh application of mind, which is evident from the reasoning recorded in the impugned order.

16.23. Perversity is a high threshold. A finding is perverse only when:

16.23.1. It is unsupported by any evidence;

16.23.2. It ignores vital material;

16.23.3. It is based on wholly irrelevant considerations; or

16.23.4. It defies logic to such an extent that no reasonable authority could have arrived at it.

16.24. In the present case, the finding that respondent No.3 belongs to the Ganiga community is supported by:

16.24.1. Multiple documentary records consistently reflecting Ganiga identity;



- 16.24.2. Statutory caste certificates;
- 16.24.3. Sibling records;
- 16.24.4. Documentary consistency over time;
- 16.24.5. The legal permissibility of Ganiga identity
subsisting within the Lingayat fold (as
held under Point No.3).

16.25. The existence of earlier records describing the father as "Lingayat" does not render the conclusion irrational. At best, it presents a competing evidentiary strand. The authority preferred one plausible evidentiary interpretation over another. Where two views are possible and the authority has adopted one supported by evidence, the finding cannot be labelled perverse.

16.26. The petitioner has criticised reliance upon the recommendation of the Akhila Bharath Ganigara Sangha. While a community



association's recommendation cannot be treated as determinative proof of caste, the impugned order does not reveal that it was treated as the basis of the finding. It was, at most, corroborative. Even assuming for the sake of arguments that reference to such recommendation was unnecessary, it does not vitiate the decision when independent documentary material supports the conclusion. Procedural irregularity warrants interference only when it results in prejudice affecting the ultimate decision. No such prejudice is demonstrated.

16.27. The appellate authority affirmed the findings of respondent No.1 after considering the grounds urged. An appellate authority concurring with the original authority is not required to restate every reasoning in elaborate detail. A concise affirming order is legally sustainable so long as



it reflects conscious consideration of the record. The appellate order cannot be characterised as mechanical or bereft of reasoning merely because it does not reproduce the entire evidentiary discussion.

16.28. Under Points No.1 and 2, this Court has independently examined the documentary material and has itself concluded that respondent No.3 has established his identity as belonging to the Ganiga community under Category II-A. Under Point No.3, this Court has held that Lingayat and Ganiga are not mutually exclusive identities in law. In light of these findings, even if certain aspects of the enquiry could have been more elaborately recorded, the ultimate conclusion reached by the statutory authorities stands substantiated by the material on record.



16.29. Writ jurisdiction does not operate to quash orders merely because the reasoning could have been more meticulous. What is required is legality of the conclusion and procedural fairness, both of which stand satisfied.

16.30. The petitioner has, in substance, invited this Court to re-appreciate evidence and substitute its own view for that of the statutory authorities. Such an exercise is impermissible within the confines of Articles 226 and 227.

16.31. I therefore answer Point No.4 by holding that the impugned orders dated 19.07.2010 and 25.11.2015:

16.31.1. Do not suffer from jurisdictional error;

16.31.2. Do not violate principles of natural justice;

16.31.3. Are supported by material evidence;



16.31.4. **Do not meet the threshold of perversity;**

16.31.5. **Do not disclose such non-application of mind as would vitiate the decision.**

17. **Answer to Point No. 6: What Order?** In view of the findings recorded under Points No.1 to 4, I pass the following:

ORDER

- i. Respondent No.3 has established, on the basis of cumulative documentary evidence, that he belongs to the Ganiga community classified under Category II-A;
- ii. "Lingayat" and "Ganiga" are not mutually exclusive identities in law, and Ganiga may subsist as a distinct caste group within the broader Lingayat fold;
- iii. The impugned orders dated 19.07.2010 passed by respondent No.1 and 25.11.2015 passed by respondent No.4 do not suffer from such illegality, perversity, jurisdictional error, or non-application of mind as would warrant interference under Articles 226 and 227 of the Constitution of India.



- iv. It is however, clarified that the findings recorded in this judgment are based on the documentary material placed before the statutory authorities and examined by this Court. The dismissal of the writ petition shall not be construed as foreclosing any action that may be permissible in law if credible material demonstrating fraud, fabrication, or misrepresentation were to surface in future proceedings before a competent forum.
- v. It is further clarified that this judgment does not lay down any proposition that a mere assertion of sub-caste identity within the Lingayat fold is sufficient to claim reservation. Each case must turn on its own evidence and must satisfy the statutory requirements of verification.
- vi. Consequently, the writ petition fails and is hereby **dismissed**.

SD/-
(SURAJ GOVINDARAJ)
JUDGE