

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23<sup>RD</sup> DAY OF DECEMBER, 2020

PRESENT

**THE HON'BLE MR. JUSTICE ARAVIND KUMAR**

**AND**

**THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR**

**W.P. NO.3758/2020 (GM-RES)**

**BETWEEN:**

DR. SRINIVASA B. KAKKILAYA  
S/O B. VISHNU KAKKILAYA  
AGED ABOUT 54 YEARS  
RESIDING AT "AKSHAYA"  
KADRI KAIBATTAL, 5TH CROSS  
ALAVERS ROAD, MANGALURU - 575 002.

...PETITIONER

(BY SRI. DORE RAJ B.H, ADVOCATE)

**AND:**

1. STATE OF KARNATAKA  
DEPARTMENT OF HEALTH  
AND FAMILY WELFARE  
(MEDICAL EDUCATION)  
M.S. BUILDING, BENGALURU - 560 001  
REPRESENTED BY ITS  
PRINCIPAL SECRETARY.
2. KARNATAKA MEDICAL COUNCIL  
NO.16/2 2ND FLOOR MILLER TANK  
BED AREA, VASANT NAGAR  
BENGALURU - 560 052  
REPRESENTED BY ITS REGISTRAR.
3. DR. SURESH N.V  
MAJOR, KMC REGISTRE NO.34072  
RESIDING AT #474, RAILWAY LAYOUT  
2ND PHASE OPPOSITE JAYANTH

CONVENTION CENTER ULLALA  
RTO OFFICE ROAD  
BENGALURU - 560 110.

4. DR. PRASHANTH B. KATKOL  
MAJOR, KMC REGISTRATION NO.37831  
RESIDING AT # HEALTH CITY COMPLEX  
107/2B, BHUTNAL, SOLAPUR ROAD  
VIJAYAPURA - 586 103.
5. DR. GOPAL KRISHNA BHAT B  
MAJOR, KMC REGISTRATION NO.20052  
RESIDING AT SANKCHITAL AMAR  
ALVA ROAD, NEAR MANGALADEVI TEMPLE  
MANGALURU - 575 001.
6. DR. HARSANGI VEERABADRAPPA  
MAJOR, KMC REGISTRATION NO.13497  
ASHIRVAD HOSPITAL  
NO.105/15 GARDEN ROAD  
SHARAN NAGAR, GULBARGA - 585 103.
7. DR. RAJKUMAR G.C  
MAJOR, KMC REGISTER NO.3688A  
RESIDING AT # 53093, PRESTIGE  
FALCON CITY, KONANAKUNTE  
CROSS KANAKAPURA ROAD  
BENGALURU - 560 062.

...RESPONDENTS

(BY SRI. P.B. ACHAPPA, AGA FOR R-1;  
SRI. R.C. NAGARAJ, ADVOCATE FOR R-2;  
SRI. KRISHNAMOORTHY D, ADVOCATE FOR R-5;  
SRI. SAPPANAVAR, ADVOCATE FOR R-6;  
MS. SUMANA BALIGA, ADVOCATE FOR R-7;  
R-3 IS SERVED)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE  
CONSTITUTION OF INDIA PRAYING TO QUASH THE  
NOTIFICATION DATED 20TH JANUARY 2020 ISSUED BY R-1  
A COPY OF THE NOTIFICATION DATED 20TH JANUARY  
2020 IS PRODUCED AT ANNEX-A.

THIS W.P. COMING ON FOR ORDERS THIS DAY,  
**ARAVIND KUMAR J.**, MADE THE FOLLOWING:

**ORDER**

Though matter is listed for orders namely, for furnishing of process fee for issuance of notice to respondent No.4, by consent of learned Advocates appearing for parties we have taken up this writ petition for final disposal, since learned AGA has filed a memo stating thereunder that steps have been taken to withdraw impugned notification No.MED 327 MPS 2019 dated 20.01.2020 issued by first respondent.

Since prayer sought for in the writ petition is for quashing the notification No.MED 327 MPS 2019 dated 20.01.2020 and memo filed by the learned AGA enclosing communication received from the Under Secretary to Government-1, Medical Education Department, would indicate that steps have been taken to withdraw the impugned notification and nomination would be made adhering to sub-section (3) of Section 3 of Karnataka Medical Registration Act, 1961, we are of the considered view that prayer sought for in the writ petition has become infructuous. As such

dispose of the writ petition as having become infructuous  
by placing the said memo on record.

**SD/-  
JUDGE**

**SD/-  
JUDGE**

DR