



HC-KAR

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NC: 2026:KHC:19626-DB
WP No. 5925 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 5925 OF 2026 (GM-RES-PIL)

BETWEEN:

1. SRI SOMASHEKHAR RAJAVAMSHI
ADVOCATE
S/O. LATE SRI BASANNA R
AGED ABOUT 54 YEARS
R/A. NO.201, 3RD FLOOR
SRI NILAYA, NO.93/5
28TH B CROSS, 14TH MAIN
4TH BLOCK EAST, JAYANAGAR
BENGALURU - 560 011

...PETITIONER

(BY SRI SOMASHEKHAR RAJAVAMSHI, PETITIONER-
PARTY-IN-PERSON)

AND:

1. UNION OF INDIA
THROUGH THE SECRETARY
MINISTRY OF HOME AFFAIRS
ROOM No.35101, 5TH FLOOR
KARTAVYA BHAVAN - 3
NEW DELHI - 110 001
2. UNION OF INDIA
THROUGH THE SECRETARY
MINISTRY OF EDUCATION
SHASTRI BHAVAN
NEW DELHI - 110 001





3. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF PRIMARY AND
SECONDARY EDUCATION
VIDHANA SOUDHA
BENGALURU - 560 001
 4. THE COMMISSIONER FOR
PUBLIC INSTRUCTION
GOVERNMENT OF KARNATAKA
NRUPATHUNGA ROAD
BENGALURU - 560 001
 5. KENDRIYA VIDYALAYA SANGATHAN
THROUGH ITS COMMISSIONER
18, INSTITUTIONAL AREA
SHAHEED JEET SINGH MARG
NEW DELHI -110 016
(ALSO THROUGH ITS REGIONAL OFFICER
SOUTHERN REGION, NO. 4
PRAKASAM STREET
T. NAGAR, CHENNAI - 600 017)
 6. NATIONAL COMMISSION FOR MINORITIES
THROUGH ITS SECRETARY
BLOCK 14, CGO COMPLEX, LODHI ROAD
NEW DELHI - 110 003
 7. NATIONAL COMMISSION FOR
PROTECTION OF CHILD RIGHTS (NCPCR)
THROUGH ITS CHAIRPERSON
5TH FLOOR, 1 SIRI FORT INSTITUTIONAL AREA
AUGUST KRANTI MARG, NEW DELHI - 110 049
- ...RESPONDENTS
- (BY SRI ARVIND K. KAMATH, ASG A/W
SRI CHANDRACHUD A., CGSPC FOR R-1 & 2;
SMT. NILOUFER AKBAR, AGA FOR R-3 & 4)



THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA READ WITH RULES 13 & 14 OF THE HIGH COURT OF KARNATAKA (PUBLIC INTEREST LITIGATION) RULES, 2018 PRAYING TO ISSUE A WRIT OF DECLARATION OR ANY OTHER APPROPRIATE WRIT, ORDER, OR DIRECTION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, DECLARING THAT THE PROTOCOL DOCUMENT TITLED ORDERS RELATING TO THE NATIONAL SONG OF INDIA (ANNEXURE-A), TO THE EXTENT IT PRESCRIBES STANZAS 3, 4, 5 AND 6 OF THE POEM 'VANDE MATARAM' AS PART OF THE OFFICIAL VERSION OF THE NATIONAL SONG OF INDIA, IS UNCONSTITUTIONAL AND VOID AS BEING IN VIOLATION OF ARTICLES 14, 25, 26, AND 28 OF THE CONSTITUTION OF INDIA AND THE SECULAR BASIC STRUCTURE OF THE CONSTITUTION & ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The petitioner has filed the present petition as a Public Interest Litigation, *inter alia*, praying that the protocol document captioned 'Orders Relating to the National Song of India' to the extent that it prescribes stanzas 3, 4, 5 and 6 of the poem Vande Matram, as part of the original version of the National Song, be declared as unconstitutional and void as being violative of Articles 14, 25, 26 and 28 of the Constitution of India.



2. The petitioner claims that the same offends the secular basic structure of the Constitution. Concededly, the national song is not covered under any statutory framework.

3. The learned Additional Solicitor General also points out that the order mentions the word 'may' and the performance of the national song is not mandatory, unlike the national anthem. He also points out that a similar petition preferred before the Supreme Court [WP.(Civil) No.341/2026], was dismissed by an order dated 25.03.2026, *inter alia*, with an observation that the petition is premature.

4. In view of the above, we are not inclined to entertain the present petition. The same is accordingly dismissed.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(C.M. POONACHA)
JUDGE**

SD
List No.: 2 Sl No.: 3