

IN THE HIGH COURT OF KARNATAKA,

AT BENGALURU

(Original Jurisdiction)

W.P. No. _____ / 2026 (GM-RES)

BETWEEN:

Sri. Beerappa N

PETITIONER

AND:

State of Karnataka & Anr.

RESPONDENTS

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PLACE: BENGALURU

DATE: 03/10/2026

**ADVOCATE FOR PETITIONER
(TRIVIKRAM.S)**

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LIST OF DATES AND EVENTS

Date	Event
15.09.2026	Respondent No. 2 issues the Government Order No. ಸಿಆಸುಇ 144 ಎಸ್‌ಸಿಇ 2026, whereby the State Government permits engineers in the State to prefix the honorific "Er." before their names to mark Engineers' Day, without extending any similar recognition to the Petitioner's profession.
03.10.2026	The Petitioner, being aggrieved by the Government Order which infringes his rights under Articles 14, 18 and 21, and having no other efficacious remedy, files the present Writ Petition.

SYNOPSIS

The Petitioner, an Advocate practising at Bengaluru, files this Writ Petition under Article 226 of the Constitution of India, challenging Government Order No. ಸಿಆಸುಇ 144 ಎಸ್‌ಸಿಇ 2026 dated 15.09.2026, whereby the State Government permitted engineers in Karnataka to prefix the honorific "Er." before their names to mark Engineers' Day.

The Petitioner's profession i.e., advocacy flows from the has no State-sanctioned honorific. By extending official State sanction to engineers alone, the Government Order confers a title otherwise than a military or academic distinction, contrary to Article 18(1), and singles out one profession without any intelligible differentia or rational nexus to its object, placing the Petitioner in an inferior position i.e., in comparison with a State-favoured class. Being a bare executive fiat without statutory backing, it is arbitrary and violative of the Petitioner's rights under Articles 14, 18 and 21.

Having no other efficacious remedy, the Petitioner approaches this Hon'ble Court seeking quashment of the said Order.

PLACE: BENGALURU

DATE: 03/10/2026

**ADVOCATE FOR PETITIONER
(TRIVIKRAM.S)**

IN THE HIGH COURT OF KARNATAKA,
AT BENGALURU

(Original Jurisdiction)

W. P No. _____ / 2026 (GM-RES)

BETWEEN

Sri. Beerappa N,
S/o Late Nanjappa,
Aged about 41 years,
R/at: No. 226, 2nd Cross,
Behind Amarjyothi Public School,
Vinayakanagar (R. K Layout),
Devasandra, Bengaluru – 560036

.... PETITIONER

AND:

1. State of Karnataka,
Represented by its Chief Secretary
Vidhana Soudha,
Bengaluru – 560001

2. Department of Personnel and Administrative
Represented by its Principal Secretary
Reforms (Service – 3),
Vidhana Soudha,
Bengaluru - 560001

.... RESPONDENTS

**MEMORANDUM OF THE WRIT PETITION UNDER
ARTICLE 226 AND 227 OF THE CONSTITUTION OF
INDIA**

The Petitioner respectfully submits as follows:

1. It is submitted that the Petitioner is an Advocate by profession and has been practicing since the year 2018. It is further submitted that the Petitioner has been appearing before all the trial courts, quasi-judicial bodies and Hon'ble High Court of Karnataka. The copy of the Aadhar card of the Petitioner is produced herewith and marked as **ANNEXURE – 'A'**
2. It is submitted that the Respondents dated 15/09/2026 has notified in the Gazette which reads as follows:

ಪ್ರಸ್ತಾವನೆಯಲ್ಲಿ ವಿವರಿಸಿರುವ ಅಂಶಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ, ದೇಶದ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ಆರ್ಥಿಕ ಪ್ರಗತಿಗಾಗಿ ನಿರಂತರವಾಗಿ ಶ್ರಮಿಸುತ್ತಿರುವ ಇಂಜಿನಿಯರ್ಸ್ ಗಳ ಅತ್ಯಮೂಲ್ಯವಾದ ಕೊಡುಗೆಯನ್ನು ಸ್ಮರಿಸುತ್ತಾ, ಗೌರವ ಸಮರ್ಪಣೆ ಮಾಡುವ ಸಲುವಾಗಿ, ಭಾರತ ರತ್ನ ಸರ್ ಎಂ. ವಿಶ್ವೇಶ್ವರಯ್ಯ ರವರ ಜನ್ಮ ದಿನವಾದ "ಸೆಪ್ಟೆಂಬರ್ 15" ನ್ನು "ಇಂಜಿನಿಯರ್ಸ್ ದಿನ" ವನ್ನಾಗಿ ಆಚರಿಸಲು ಮತ್ತು ಇಂಜಿನಿಯರ್ ಗಳ ಹೆಸರಿನ ಪೂರ್ವದಲ್ಲಿ **Er(Engineer-ಅಭಿಯಂತರರು) ಎಂಬ ಶೀರ್ಷಿಕೆಯನ್ನು (Title)** ಬಳಸಲು ಸರ್ಕಾರವು ಅನುಮತಿ ನೀಡಿ ಆದೇಶಿಸಿದೆ.

The Copy of the Notification is herewith produced and marled as **ANNEXURE – 'B'**.

3. The Petitioner being aggrieved by the cherry picking of the profession and according 'Er' status only to a particular profession deems it to be in derogation with the essence and spirit of part III of the Constitution more particularly Article 14 of the Constitution of India. Hence having been aggrieved and not having any other alternative efficacious remedy the Petitioner has preferred the present Writ Petition challenging the constitutional validity of the said Notification following amongst other grounds.

GROUND

4. It is submitted that the Government Order violates Article 18(1) of the Constitution of India, which bars the State from conferring any title other than a military or academic distinction. The prefix "Er." is neither, and is an honorific sanctioned by the State. The Government Order thereby creates a class of citizens bearing a State-sanctioned title and relegates the Petitioner, who bears none, to a lower position, infringing his right to equality of status.
5. It is submitted that the Government Order violates Article 14. There is no intelligible differentia for extending a State-sanctioned honorific to engineers alone and denying the

same to the Petitioner, and the classification bears no rational nexus to the object of the Order.

6. It is submitted that the Government Order is issued without legislative competence or statutory backing. The Petitioner's professional status rests on a statute, whereas the engineers' prefix rests on a mere executive fiat. An executive instruction cannot do what requires the authority of law, and the Government Order is a colourable exercise of executive power that discriminates against the Petitioner.
7. It is submitted that the profession of advocacy occupies a place of singular importance in any organised and civilised society. Where disputes are to be resolved by reason and not by force, it is the advocate who gives voice to the citizen before the Court, translates grievance into the language of law, and ensures that no person, however poor, unpopular or powerless, is condemned unheard. A Court is only as effective as the assistance it receives from the Bar, and justice dispensed without able and fearless advocacy is justice in name alone. A profession that sustains the very machinery of justice cannot be treated by the State as one of lesser account, and the Government Order, which extends State-sanctioned recognition to one profession while wholly ignoring the Bar, is arbitrary and

unsustainable. For such reason, the Government Order is liable to be quashed.

8. It is submitted that the importance of advocacy has been acknowledged by eminent jurists and statesmen across centuries and across jurisdictions. Lord Erskine, while defending Thomas Paine in 1792, declared that if an advocate could be permitted to say that he will or will not stand between the Crown and the subject arraigned in the court where he daily sits to practise, then "*from that moment the liberties of England are at an end*". Lord Brougham, in his celebrated defence of Queen Caroline, described the advocate as one who, in the discharge of his duty, "*knows but one person in all the world, and that person is his client*". Judge Learned Hand reminded the legal community that the cardinal commandment of a free society is: "*Thou shalt not ration justice*". Mahatma Gandhi, himself a member of the Bar, recorded in his autobiography his realisation that "*the true function of a lawyer was to unite parties riven asunder*". Alexis de Tocqueville, in his study of democracy, observed that lawyers form a natural counterpoise to the excesses of popular and governmental power. These pronouncements establish that the advocate is regarded the world over as a guardian of liberty and not merely a provider of professional services. A State that confers official honour on one profession while withholding it from the Bar, whose service has been so universally

acknowledged, acts contrary to this settled understanding hence the said Government Order suffers from several infirmities and is liable to be quashed.

9. It is submitted that advocates are the foremost protectors of the fundamental rights guaranteed under Part III of the Constitution of India. It is through the advocate that the citizen invokes the writ jurisdiction of this Hon'ble Court and the Hon'ble Supreme Court against the excesses of the executive, challenges unconstitutional laws, and secures the liberty, dignity and equality promised by the Constitution. The Hon'ble Supreme Court has repeatedly recognised advocates as officers of the Court and has described the Bar and the Bench as the two wheels of the same chariot of justice, neither of which can move without the other. The Constitution itself recognises the indispensable role of the advocate by guaranteeing, under Article 22(1), the right of every arrested person to consult and be defended by a legal practitioner of his choice. A profession entrusted with such a constitutional role is entitled to equal respect at the hands of the State.

10. It is submitted that advocates have been at the forefront of nation-building. Several leaders of the freedom movement, including Mahatma Gandhi, Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel and Dr. Rajendra Prasad, were members of the legal profession, and gave up lucrative practice to serve the cause of the nation. A

substantial number of the members of the Constituent Assembly, including Dr. B.R. Ambedkar, the Chairman of its Drafting Committee, and Sri Alladi Krishnaswami Iyer, were lawyers, and the Constitution that governs the Respondents themselves was shaped largely by the learning and vision of the Bar. A profession which has contributed so decisively to the birth of the Republic and to the framing of the very Constitution from which the State derives its authority cannot be passed over by the State while it chooses to honour another profession and thus Government Order is liable to be quashed.

11. It is submitted that advocates continue to perform vital functions in the day-to-day life of society. They advise citizens on their rights and obligations and thereby prevent disputes; they represent the accused so that no person is deprived of liberty without a fair trial; they appear for the poor and the marginalised through legal aid and pro bono service under the mandate of Article 39A of the Constitution; they resolve disputes outside the courtroom through mediation, conciliation, arbitration and Lok Adalats, thereby reducing the burden on the judiciary; and they bring matters of public concern to the notice of the Courts through public interest litigation. They also act as a check on the arbitrary exercise of State power, a role which is essential to constitutional governance. The service rendered by the Bar is thus rendered not merely to

individual clients but to the society and the Constitution at large, and the State's decision to officially honour only one profession, in disregard of this contribution, is unreasonable and discriminatory.

12. It is submitted that the State Government has no power, under the Constitution or under any law, to confer or sanction honorific prefixes such as "Er." upon members of any selected profession. Article 18(1) of the Constitution places a prohibition upon the State in the matter of conferring titles, and nowhere is the State Government accorded a power to create, recognise or sanction an honorific for a profession. The executive power of the State under Article 162 extends only to matters with respect to which the State Legislature has power to make laws, and is subject to the executive power of the Union. No entry in the Seventh Schedule empowers the State Government to prescribe honorifics or designations for a profession, and no statute has been enacted by the State Legislature in that regard. The Government Order, being issued without the authority of law, is without jurisdiction and ultra vires of the Constitution.

13. It is submitted that the grant of any such honorific, if at all permissible, falls within the ambit of the All India Council for Technical Education (AICTE), the statutory body constituted under the All India Council for Technical

Education Act, 1987, which is entrusted with the planning, coordination and maintenance of norms and standards of technical education and the engineering discipline. It is for the AICTE, as the competent expert authority, to consider and recommend whether any honorific or prefix should be associated with the engineering profession, and any such recommendation must in turn be examined by the Union Government, which holds the field in matters concerning technical education and its standards. The State Government has neither been conferred nor delegated any such authority, and by issuing the Government Order on its own it has usurped a function that lies with another authority. An order passed by an authority which lacks competence in the subject is a nullity in the eye of law. For such reason, the Government Order is liable to be quashed.

14. It is submitted that even a competent authority cannot select a particular profession for official honour without a reasoned and rational basis, and the State, which is not a competent authority in this field, can do so least of all. Article 14 strikes at arbitrariness in State action. The Hon'ble Supreme Court in *E.P. Royappa v. State of Tamil Nadu*, (1974) 4 SCC 3, held that arbitrariness is the antithesis of equality, and in *Shayara Bano v. Union of India*, (2017) 9 SCC 1, held that State action which is manifestly arbitrary is liable to be struck down. The Government Order does not disclose why engineers alone

have been chosen and why professions of equal or greater public importance, such as the Bar, have been left out. Cherry-picking one profession for a State-sanctioned distinction, without any criteria, consultation or reasoned basis, is manifestly arbitrary.

15. It is submitted that the Government Order, if allowed to stand, will cause serious discrepancies in the society. The State's selective grant of an honorific to one profession will inevitably invite similar demands from doctors, chartered accountants, architects, teachers and other professions, each of which will claim equal contribution to the nation. If every State were to decide for itself which profession should bear which honorific, there would be no uniformity, and titles that are meant to reflect professional standing would become tokens of executive favour. Such a result is contrary to the Preamble of the Constitution, which secures to all citizens equality of status and of opportunity and fraternity assuring the dignity of the individual. The Constitution envisages equal respect for every honest vocation, and the State cannot, by executive fiat, create a hierarchy among the learned professions. For such reason, the Government Order is liable to be quashed.

16. It is submitted that the Government Order, by giving official recognition to one profession alone and ignoring the Petitioner's, diminishes the Petitioner's standing and dignity as a member of the Bar i.e., in comparison with the

engineers, and thereby infringes his right to live with dignity under Article 21 of the Constitution of India.

17. It is submitted that the Petitioner craves leave of this Hon'ble Court to urge such other grounds as may be permitted at the time of hearing of this Writ Petition.

18. It is submitted that the Petitioner has not filed any other case before any court of law or authority on the same cause of action.

GROUND FOR INTERIM PRAYER

19. It is submitted that as the Government Order is without authority of law and violates Articles 14 and 18. The balance of convenience lies in the Petitioner's favour, as continued operation of the Government Order entrenches a State-sanctioned distinction that cannot later be undone, causing the Petitioner irreparable injury to his equal status, while no prejudice will be caused to the Respondents by a stay.

PRAYER

WHEREFORE, the Petitioner most humbly prays that this Hon'ble Court may be pleased to:

- a) Issue a Writ of Certiorari, or any other appropriate writ, order or direction in the nature thereof, pertaining to

Government Order No. ಸಿಆಸುಇ 144 ಎಸ್‌ಸಿಇ 2026 dated 15.09.2026 issued by Respondent No. 2 vide Annexure - B, quash and set aside the same as being unconstitutional, ultra vires and void ab initio; and/or

b) To grant any such other relief/s or order or direction as this Hon'ble Court deems fit under the facts and circumstances of the case to meet the ends of Justice.

INTERIM PRAYER

Pending disposal of the writ petition, the Petitioner most respectfully prays this Hon'ble Court may be pleased to stay the operation of the Government Order No. ಸಿಆಸುಇ 144 ಎಸ್‌ಸಿಇ 2026 dated 15.09.2026 issued by Respondent No. 2 vide Annexure - B, in the ends of Justice and Equity;

Place: Bengaluru

Date: 03.10.2026

Advocate for Petitioner
TRIVIKRAM.S

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