

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6<sup>TH</sup> DAY OF FEBRUARY, 2017

PRESENT

THE HON'BLE MR. SUBHRO KAMAL MUKHERJEE  
CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE BUDIHAL R.B.

WRIT PETITION NO.1397 OF 2015 (GM--POLICE) PIL

Between:

The Karnataka Sexual Minorities Forum  
Having its registered office  
At #1, "Mandara", Ground Floor  
Sweet Water Well Road  
RMV 2<sup>nd</sup> Stage  
Nagashettyhalli  
Bangalore - 560 094  
Represented by its President  
Smt.Manjula

... Petitioner

(By Sri.Ashok G.V., Advocate - Absent)

And:

1. State of Karnataka  
Represented by its  
Additional Chief Secretary  
Home Department  
Room No.222, II Floor  
Vidhana Soudha  
Bangalore - 560 001

2. The Director General and Inspector  
General of Police  
Police Headquarters  
Nrupathunga Road  
Bangalore – 560 001

... Respondents

(By Smt.S.Susheela, Additional Government Advocate)

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This Writ Petition is filed under Articles 226 and 227 of the Constitution of India praying to declare Section 36A of the Karnataka Police Act, 1963, as ultra vires Articles 14, 15, 19 and 21 of the Constitution of India, and etc.

This petition coming on for Orders this day, ***the Chief Justice*** made the following:

**ORDER**

This writ petition is filed seeking for a declaration that Section 36A of the Karnataka Police Act, 1963, is ultra vires of the Constitution of India.

2. When the matter is taken up for hearing, Shrimati S.Susheela, learned additional government advocate, informs that there has been an amendment to Section 36A as aforesaid. It is said that the transgenders were singled out

in the provisions of law. Now the law has been amended. The expression "eunuchs" has been deleted

3. In view of the amendment, nothing is left for decision in the matter. The writ petition is, therefore, disposed of.

4. In view of disposal of the writ petition, the pending interlocutory applications do not survive for consideration and are, also, disposed of.

5. We make no order as to costs.

**Sd/-  
CHIEF JUSTICE**

**Sd/-  
JUDGE**

AHB