



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

WRIT PETITION NO. 2068 OF 2026 (LB-RES)

BETWEEN:

SMT. UMA NAGARAJ,
W/O LATE MR. B.S NAGARAJ,
AGED ABOUT 81 YEARS,
R/AT NO. 8, JYOTHSNA,
4TH MAIN ROAD, MARUTI TEMPLE ROAD
KUVEMPUNAGARA, MYSURU 570 009.

...PETITIONER

(BY SRI H.S VIVEKANANDA, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
REP. BY ITS ADDITIONAL CHIEF SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
ROOM NO. 434, 4TH FLOOR, GATE 3,
M S BUILDING, DR. B.R. AMBEDKAR VEEDHI,
BENGALURU 560 001.
2. MYSURU MAHANAGARA PALIKE,
NEXT TO BANUMAIHAH COLLEGE,
SAYYAJI RAO ROAD, AGRAHARA,
CHAMARAJAPURA, MYSYRU 570 024.
REP. BY ITS COMMISSIONER.
3. SRI VINAY,
S/O M. MAHADEVIAH,
AGED ABOUT 40 YEARS.
4. SRI GOUTHAM,
S/O M. MAHADEVIAH,





AGED ABOUT 37 YEARS.

RESPONDENT NOS. 3 & 4 ARE
R/AT NO.7, 4TH MAIN ROAD,
MARUTI TEMPLE ROAD,
KUVEMPUNAGARA, MYSURU - 570 009.

...RESPONDENTS

(BY SRI BOPANNA BELLIAPPA, AGA FOR R-1;
SRI GAURAV G.K, ADVOCATE FOR R-2;
SRI SREEVATSA.S, SENIOR ADVOCATE FOR
SRI K.B MONESH KUMAR, ADVOCATE FOR R-3 & R-4)

THIS WP IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO A. ISSUE A WRIT OF
MANDAMUS DIRECTING RESPONDENT NO. 2 TO IMPLEMENT
THE FINDINGS OF THE NOTICE DATED 15/12/2025 BEARING
NO. ಸಂ/ವ/ಆ/ಅ.ಅ/ಸ.ಇಂ-03/ಪತ್ರ/76/2025-26 VIDE ANNEXURE 'A'
AND INITIATE APPROPRIATE ACTION AGAINST THE
RESPONDENT NO.2 IN ACCORDANCE WITH LAW AND
CONSEQUENTLY REMOVE THE ILLEGAL AND UNAUTHORISED
CONSTRUCTIONS PUT UP BY RESPONDENT NO.3 AND 4 IN
VIOLATION OF THE SANCTIONED BUILDING PLAN DATED
31/05/2023 VIDE ANNEXURE 'F'.

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

CORAM: HON'BLE MR. JUSTICE M.I.ARUN

ORAL ORDER

The petitioner is a neighbour of the property wherein
respondents No.3 and 4 are said to be putting up
construction. On the ground that they are putting up
construction in violation of the building by-laws and the
sanctioned plan, the petitioner made representations to



respondent No.2-Mysuru Mahanagara Palike to initiate appropriate action against respondents No.3 and 4. As the same was not acted upon in accordance with law by respondent No.2, the present writ petition is filed with the following prayers;

a) "Issue a writ of mandamus directing Respondent No.2 to implement the findings of the notice dated 15/12/2025 bearing No. ಸಂ/ವ/ಆ/ಅ.ಆ/ಸ.ಇಂ-03/ಪತ್ರ/76/2025-26 vide Annexure 'A' and initiate appropriate action against the Respondent No.2 in accordance with law and consequently remove the illegal and unauthorised constructions put up by Respondent No.3 and 4 in violation of the sanctioned building plan dated 31.05.2023, vide Annexure-F.

b) Pass such other order/s as this Hon'ble Court deems fit in the circumstances of the case, and in the interest of justice and equity."

2. This Court by way of interim order, directed respondent No.2 to inspect the construction being put up by respondents No.3 and 4 and submit a report. A report is filed on this day by the learned counsel for respondent No.2, wherein certain violations are mentioned.



3. No person has a right to put up construction in violation of sanction plan. If the same is done, it is liable to be demolished. However, he has the liberty to seek for modification of the sanction plan in accordance with the building by-laws and bring the construction in conformity of the same. Hence, the following;

ORDER

- i. The writ petition stands ***disposed of***.
- ii. Respondent No.2 is directed to remove the construction put up by respondents No.3 and 4 which is in violation of the sanction plan.
- iii. Respondents No.3 and 4 have the liberty to continue with the construction after removal of the deviations or after obtaining the necessary modified sanction plan in accordance with law, till such time further construction will not be put up by Respondents No.3 and 4.



- iv. If respondents No.3 and 4 are of the opinion that the petitioner has encroached upon a portion of the property of respondents No.3 and 4, it is needless to state that they are having the liberty to approach the appropriate Civil Court in accordance with law.

**Sd/-
(M.I.ARUN)
JUDGE**

SR
List No.: 1 Sl No.: 31