



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

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

WRIT PETITION NO. 3051 OF 2025 (LB-BMP)

BETWEEN:

SMT. SUKANYA
W/O SRI SHIVA N
AGED ABOUT 67 YEARS
R/O NO.252, 3RD MAIN
7TH CROSS, TALAKAVERI
LAYOUT, AMRUTHAHALLI VILLAGE
SAHAKARA NAGAR POST
BENGALURU - 560 092.

...PETITIONER

(BY SRI RAMESH K.R, ADV.)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
VIKASA SOUDHA, BENGALURU - 560 001
REPRESENTED BY ITS SECRETARY.
2. THE COMMISSIONER
BBMP, BENGALURU 560 001.
3. THE ASSISTANT EXECUTIVE ENGINEER
KODIGEHALI SUB-DIVISION
SAHAKARA NAGAR
BENGALURU - 560 092.
4. THE ASSISTANT DIRECTOR
TOWN PLANNING, BBMP
YELAHANKA ZONE
AMRUTHAHALLI MAIN ROAD
BYATARAYANAPURA
BENGALURU - 560 064.

Digitally
signed by
GEEBAP G
Location:
HIGH
COURT OF
KARNATAKA



5. SRI K. VENKATESHA
S/O LATE K.P. KRISHNAPPA
AGED ABOUT 55 YEARS
R/AT NO.253, 3RD MAIN, 7TH CROSS
TALAKAVERI LAYOUT
AMRUTHAHALLI VILLAGE
SAHAKARA NAGAR POST
BENGALURU - 560 092.

...RESPONDENTS

(BY SMT. SPOORTHY V, AGA FOR R-1;
SRI PAWAN KUMAR, ADV., FOR R-2 TO R-4;
SRI S.A. SUDHINDRA, ADV., FOR R-5)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE RESPONDENT AUTHORITIES TO CONSIDER THE REPRESENTATIONS DATED 17.10.2022, 18.06.2024, 24.06.2024 AND 02.09.2024 GIVEN BY THE PETITIONER AT ANNEX-D, D1, D2 AND D3 IN ACCORDANCE WITH LAW AND TO TAKE IMMEDIATE STEPS FOR REMOVAL OF THE UNAUTHORIZED CONSTRUCTION MADE BY THE R-5 IN VIOLATION OF THE BUILDING BYE LAWS WITHOUT LEAVING THE SETBACK ON THE SOUTHERN SIDE OF THE B SCHEDULE PROPERTY BELONGING TO THE R-5 AND NORTHERN SIDE OF A SCHEDULE PROPERTY BELONGING TO THE PETITIONER.

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

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

ORAL ORDER

1. The case of the petitioner is that she is a neighbour of respondent no.5 and that construction has been put up by respondent no.5 in violation of building bye-laws and the sanctioned plan. Hence, she has made representation to respondent Nos.2 to 4 - Bruhath Bengaluru Mahanagara Palike



(BBMP), now Greater Bengaluru Authority (GBA), to take suitable action against respondent No.5. As the same has not been considered so far, the present writ petition is filed with the following prayers:-

- "(a) Issue a writ of mandamus or any other writ or order or direction, directing the respondent authorities to consider the representations dated 17.10.2022, 18.06.2024, 24.06.2024 & 02.09.2024 given by the petitioner at ANNEXURES-D, D1, D2 & D3 in accordance with law and to take immediate steps for removal of the unauthorized construction made by the 5th respondent in violation of the building bye-laws without leaving the setback on the Southern side of the B-schedule property belonging to the 5th respondent and Northern side of A-schedule property belonging to the petitioner; and*
- (c) Grant such other relief or reliefs as this Hon'ble court deems fit in the facts and circumstances of the case, in the interest of justice and equity."*

2. Learned counsel appearing for respondent no.5 submits that the construction is put up in accordance with law. He further submits that, even if by mistake respondent no.5 has put up any additional construction, the same is in accordance



with the present building bye-laws and he would request the GBA to regularise the same in the manner known to law.

3. Learned counsel appearing for the GBA, upon instructions, submits that they intend to inspect the property of respondent No.5. and thereafter, initiate appropriate action in accordance with law.

4. Both the petitioner and respondent No.5 are agreeable to the proposal submitted by the learned counsel appearing for the GBA. Hence the following:-

ORDER

- i. The writ petition is ***disposed of.***
- ii. The concerned Officers of the GBA will inspect the property of respondent No.5 on 21.04.2026 without any further notice to the petitioner or respondent No.5.
- iii. After such inspection and upon hearing the petitioner and respondent no.5, the GBA shall decide



as to initiating appropriate action in accordance with law, if required.

iv. If any violations are found and any action is required to be initiated against respondent no.5, the GBA will complete the said exercise within a period of four months thereafter.

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

VMB
List No.: 1 Sl No.: 79