



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 25<sup>TH</sup> DAY OF MARCH, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM**

**WRIT PETITION NO. 7012 OF 2024 (GM-RES)**

**BETWEEN:**

1. SRI. R. NARAYANASWAMY  
S/O LATE SRI. RAMAIAH  
AGED ABOUT 68 YEARS,
2. SHRI. R BASAVARAJU  
S/O LATE SRI. RAMAIAH  
AGED ABOUT 63 YEARS,
3. SHRI. R. ADINARAYANA  
S/O LATE SRI. RAMAIAH  
AGED ABOUT 58 YEARS,
4. SHRI. R. NAGARAJ  
S/O LATE SRI. RAMAIAH  
AGED ABOUT 56 YEARS,

ALL RESIDING AT NO. 117,  
BASAVAESHWARE NILAYA,  
MUNESHWARE TEMPLE ROAD,  
JAKKUR VILLAGE, YELAHANKA HOBLI,  
BANGALORE NORTH, BANGALORE - 560 064,  
REPRESENTED BY THEIR GPA HOLDER,  
MR. NIRAJ MITTAL.

...PETITIONERS

(BY SRI. VACHAN H.U, ADVOCATE)

Digitally signed  
by  
SHARADAVANI  
B  
Location: High  
Court of  
Karnataka



**AND:**

1. THE KARNATAKA REAL ESTATE  
REGULATORY AUTHORITY,  
2ND FLOOR, SILVER JUBILEE BLOCK,  
UNITY BUILDING, CSI COMPOUND,  
3RD CROSS, MISSION ROAD,  
BANGALORE - 560 027.
2. SHRI. NIKHIL NARAYANAN  
S/O SRI VP BALAGANGADHARAN,  
AGED ABOUT 31 YEARS,  
RESIDING AT FLAT NO. 402,  
"GANGOTRI RESIDENCY",  
1ST MAIN ROAD, GM PALYA,  
NEW THIPPASANDRA POST,  
BANGALORE.

...RESPONDENTS

(BY SRI. RAJASHEKHAR K, ADVOCATE FOR R1;  
SRI. AMIT ANAND, ADVOCATE FOR C/R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF  
THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE  
IMPUGNED ORDER, DTD 11.01.2024 ANNEX-A PASSED BY THE  
KARNATAKA REAL ESTATE REGULATORY AUTHORITY IN  
CMP/181222/0001787 AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM



**ORAL ORDER**

The captioned writ petition is filed seeking the following reliefs:-

*"In the circumstances, the Petitioner prays that this Hon'ble Court be pleased, in the interests of justice and equity, to set aside the Impugned Order, dated 11.01.2024 (Annexure-A) passed by the Karnataka Real Estate Regulatory Authority in CMP/181222/0001787 and pass such other orders/ or directions as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."*

2. The learned counsel for the petitioners reiterating the grounds has placed reliance on the order of the Co-ordinate Bench passed in W.P.No.10337/2025, which substantially addresses the core issue raised in the captioned writ petition.

3. Heard learned counsel for the petitioners and learned AGA. Perused the records.

4. The grievance of the petitioners is that the Recovery Certificate, which has been issued by the RERA under Section 40(1)(2) of the Real Estate Regulation and Development Act, 2016 (for short 'the Act') and Rule 25



of the Karnataka Real Estate (Regulation and Development) Rules, 2017 ('the K-RERA' for short), has not been enforced by respondent No.1. It is in this backdrop, the petitioners are compelled to knock the doors of the Writ Court seeking aforesaid reliefs.

5. This Court in an identical case has consistently taken a view that when a Recovery Certificate is issued by the RERA under Section 40 of 'the Act' and Rule 25 of 'the K-RERA', respondent No.1 is obligated to take further appropriate steps to recover the amounts mentioned in the Recovery Certificate as arrears of land revenue.

6. Since it is not in dispute that Special Deputy Commissioner is now appointed to act on all the Recovery Certificates issued by the RERA, the petitioners by furnishing the Recovery Certificate have demonstrated their legal right to seek directions at the hands of this Court. Equally, respondent No.1, being a designated



Authority, is obligated to enforce the Recovery Certificate obtained by the petitioners.

7. Accordingly, this Court proceeds to pass the following:

**ORDER**

- (i) The writ petition is ***allowed***.
- (ii) A mandamus is issued directing respondent Nos.1 to 4 to execute the Recovery Certificate at Annexures-E and F and recover the amount within a period of eight weeks from the date of receipt of a copy of this order.
- (iii) The petitioners are at liberty to furnish a list of movable and immovable properties to the Special Deputy Commissioner along with supporting documents.

**Sd/-  
(SACHIN SHANKAR MAGADUM)  
JUDGE**

HDK