



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 7553 OF 2024 (LB-BMP)

BETWEEN:

SRI SURESH S,
S/O B SHIVAIAH,
AGED ABOUT 38 YEARS,
R/O NO. 1579, 7TH CROSS,
GOVINDARAJA NAGARA,
CORPORATION COLONY,
BENGALURU – 560 079.

...PETITIONER

(BY SRI JAI PRAKASH REDDY M, ADVOCATE)

AND:

1. BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002,
BY ITS COMMISSIONER.
2. ASSISTANT DIRECTOR,
CITY PLANNING (WEST),
BBMP (BRUHAT BENGALURU MAHANAGARA PALIKE),
BASHYAM PARK SESHADRI PURAM,
BANGALORE – 560 020.
3. SRI P LAKSHMINARAYANA,
S/O LATE PUTTAPPA.
4. SMT. L.V LAKSHMI,
W/O P LAKSHMINARAYANA.

BOTH R/AT NO. 1578, 7TH CROSS,
GOVINDARAJANAGARA, CORPORATION
COLONY, BANGALORE-560 079.

AMENDED AS PER COURT ORDER DATED 24.02.2026

...RESPONDENTS

(BY SMT. SAMIDHA PRADEEP WAINGAHKAR, ADV FOR R-1 & R-2;
SRI RAGHAVENDRA.K, ADVOCATE FOR R-3)





THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA PRAYING TO QUASH THE NOTICE DATED 03.02.2024 IN NO. SA.NI.NA.YO.(PA)/PO/54/23-24 VIDE ANNEXURE-J PASSED BY RESPONDENT NO.2 AND ORDER DATED 20.02.2024 IN NO. SA.NI.YO(PA)/CO/54/23-24 VIDE ANNEXURE-L, PASSED BY RESPONDENT NO.2 ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs:

"i) Issue a writ of certiorari or any other appropriate writ or direction quashing the Notice dated 03-02-2024 in No.Sa. Ni. Na. Yo. (Pa) /Po/54/23-24 vide Annexure-J passed by respondent No.2 and order dated 20-02-2024 in No.Sa. Ni. Na. Yo. (Pa) /Co/54/23-24 vide Annexure-L passed by respondent No.2,

ii. Issue a writ in the nature of mandamus or any other appropriate writ, order, or directions directing the respondent no 2 not to take any cohesive steps against the petitioner as he has completed the construction and is residing in the said house.

iii. Pass such other orders as may be appropriate in the facts and circumstances of the case, in the ends of justice and equity."

2. The petitioner has challenged the confirmatory order under sub-section (3) of Section 248 of the BBMP Act, contending that the Assistant Executive Engineer did not have the power to pass such order.



3. The Hon'ble Division Bench of this Court in the case of ***The Chief Commissioner. BBMP vs. Sri.S.Suresh and another¹*** has held that the Assistant Executive Engineer has the power being a delegate of the Zonal Commissioner.
4. In that view of the matter, the said contention does not survive for consideration and as such the petitioner having alternative efficacy remedy in terms of filing of an appeal erstwhile under Section 253 of the BBMP Act, 2020 and now under Section 250 of the GBA Act 2024, the petition is ***disposed***.
5. Since the impleading applicant has been filed by a neighbour making various allegations in the appeal, the said impleading applicant will also be made a party by the petitioner. The Chief Commissioner is directed to consider the objections of the impleading applicant, in terms of the inspection report dated

¹ WA No.271/2024 dated 16.9.2025



17.2.2026, which has been filed before this Court and pass necessary orders in accordance with law.

6. The learned counsel for the petitioner submits that the appeal would be filed within 15 days from today i.e. on or before 13.03.2026. The Chief Commissioner is directed to consider the said appeal and pass necessary orders as expeditiously as possible. If the appeal is filed by 13.03.2026, the respondents are restrained from taking any coercive steps against the petitioner and the impleading applicant till that date.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**

PRS
List No.: 2 Sl No.: 58