



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 7264 OF 2026 (GM-KIADB)

BETWEEN:

1. M/S KOLLUR MOOKAMBIKA ENTERPRISES
NO.21, 5TH CROSS, BDA LAYOUT
NEAR BDA PARK, AVALAHALLI
BENGALURU -560085.
PROPRIETOR
SMT. JAYAMMA
W/O. CHIKKA VENKATAPPA
AGED ABOUT 78 YEARS

...PETITIONER

(BY SRI. D.R. RAVISHANKAR, SENIOR ADVOCATE FOR
SMT. SIRI RAJASHEKAR, ADVOCATE)

AND:

1. KARNATAKA INDUSTRIAL AREAS
DEVELOPMENT BOARD
NO.2, 2/1, 2/3, ACHARYA TULSI
MARG, GANDHINAGAR
BENGALURU - 560001.
REPT. BY ITS COMMISSIONER

...RESPONDENT

(BY SRI. H.N. VASUDEVAN, ADVOCATE)

THIS WP IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA, PRAYING TO DIRECT THE



RESPONDENT TO FORTHWITH ISSUE THE ALLOTMENT LETTER IN FAVOUR OF THE PETITIONER IN RESPECT OF 1 ACRE OF LAND IN BANDIKODIGEHALI INDUSTRIAL AREA, PURSUANT TO THE APPROVAL DATED 10.10.2025 AS PER ANNEXURE-C AND RECEIPT OF INITIAL LAND COST 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 petition is filed seeking the following reliefs:

"a) Issue a Writ of Mandamus directing the Respondent to forthwith issue the allotment letter in favour of the Petitioner in respect of 1 Acre of land in Bandikodigehalli Industrial Area, pursuant to the approval dated 10.10.2025 as per Annexure-C and receipt of initial land cost;

b) Direct the Respondent to consider the Petitioner's representation dated 18.02.2026 as per Annexure-F, in a time-bound manner; and

c) Pass such other order or direction as this Hon'ble Court deems fit in the facts and circumstances of the case, in the interest of justice and equity."



2. The petitioner is an enterprise which has submitted a project proposal before the District Level Single Window Clearance Committee (DLSWCC) seeking allotment of industrial land for establishment of its unit under the name and style M/s. Kolluru Mookambika Enterprises. It is the specific case of the petitioner that the DLSWCC, after due verification and scrutiny of the records and documents furnished by the petitioner, in its meeting held on 01.09.2025, has approved the project proposal and consequently recommended to the respondent/Board for allotment of one acre of land in Bandikodigehalli Industrial Area, Bengaluru Urban District.

3. Pursuant to the recommendation made by the DLSWCC, the respondent/Board has called upon the petitioner to remit the requisite initial amount towards tentative cost of the land along with Earnest Money Deposit (EMD). In compliance thereof, the petitioner has remitted a sum of Rs.58,00,000/- representing 10% of the tentative cost of the land and an additional sum of



Rs.5,00,000/- towards EMD within the stipulated period of thirty (30) days. The grievance of the petitioner is that despite such compliance and fulfillment of all statutory requirements, there is total inaction on the part of the respondent/Board in proceeding further with the allotment of land.

4. Learned Senior Counsel appearing for the petitioner, reiterating the grounds urged in the petition, has placed strong reliance on the judgment rendered by the Division Bench of this Court in W.A.No.530/2025 and connected matters. Placing reliance on the said judgment, learned Senior Counsel would contend that in view of Section 11 of the Karnataka Industries (Facilitation) Act, 2002 (for short 'the Act'), the recommendation made by the DLSWCC is binding on the respondent/Board and the Board is under a statutory obligation to act upon such recommendation by allotting the industrial plot. He would further submit that the issue involved in the present petition is no longer *res integra* and stands squarely



covered by the aforesaid Division Bench judgment and therefore, a writ of mandamus is liable to be issued directing the respondent/Board to act in terms of the recommendation.

5. Per contra, learned counsel appearing for the respondent/Board would contend that though there is a recommendation by the DLSWCC, the petitioner cannot claim allotment of a specific parcel of land as a matter of right. He would submit that it is within the domain and discretion of the respondent/Board to decide the manner and mode of allotment and also to identify the specific extent and location of land to be allotted, subject to availability and administrative considerations.

6. Heard the learned Senior Counsel appearing for the petitioner and the learned counsel appearing for the respondent/Board. Perused the material on record.

7. This Court finds that the recommendation made by the DLSWCC as evidenced by Annexure-C is not in



dispute. The Division Bench of this Court in W.A.No.530/2025 and connected matters, while interpreting Section 11 of the Act, has categorically held that the recommendations made by the DLSWCC are binding on the concerned authorities and the respondent/Board is obligated to act upon such recommendations.

8. In the present case, the petitioner, acting upon the recommendation, has already remitted substantial amounts towards tentative cost and EMD. Therefore, the respondent/Board cannot remain inactive and is bound to take further steps in furtherance of the recommendation.

9. However, the contention of the respondent that the petitioner cannot insist upon allotment of a specific plot merits acceptance only to a limited extent. While it is open to the respondent/Board to exercise discretion in identifying the specific plot to be allotted, such discretion is not unfettered. The said discretion cannot be exercised



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in an arbitrary manner so as to defeat or dilute the recommendation made by the DLSWCC. In particular, under the guise of exercising such discretion, the respondent/Board cannot allot land in any other industrial area different from the one specifically recommended. The discretion is therefore confined only to identification of a particular plot within the very same industrial area, namely, Bandikodigehalli Industrial Area, as recommended by the Committee, and not beyond.

10. In that view of the matter, this Court is of the considered opinion that the inaction on the part of the respondent/Board is arbitrary and contrary to the mandate of Section 11 of the Act and the law laid down by the Division Bench. Accordingly, this is a fit case for issuance of a writ of mandamus directing the respondent/Board to act upon the recommendation made by the DLSWCC.



11. For the foregoing reasons, this Court proceeds to pass the following:

ORDER

(i) The writ petition is ***allowed***;

(ii) A writ of mandamus is issued directing the respondent/Board to act upon the recommendation made by the District Level Single Window Clearance Committee (DLSWCC), as evidenced at Annexure-C, and to take necessary steps towards allotment of one acre of industrial land to the petitioner, strictly in accordance with law and in the light of the judgment rendered by the Division Bench in W.A.No.530/2025 and connected matters;

(iii) It is clarified that while the petitioner shall be entitled to allotment of the extent of land as recommended, the identification of the specific plot shall be within the discretion of the respondent/Board, subject to availability and applicable regulations and strictly in terms of observation made by this Court supra;



(iv) The aforesaid exercise shall be completed within a period of eight (8) weeks from the date of receipt of a certified copy of this order;

(v) No order as to costs.

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

CA
List No.: 1 Sl No.: 65