



HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

WRIT PETITION NO. 42817 OF 2018 (GM-SLUM)

BETWEEN:

1. SMT. NARAYANAMMA
W/O NARAYANAPPA
AGED ABOUT 60 YEARS
NO 53, 4TH MAIN ROAD,
KSCB QUARTERS,
JAI BHUVANESHWARI NAGAR
BANGALORE- 560 096.
2. SMT SANJEEVAMMA
W/O LATE NARAYANA
AGED ABOUT 56 YEARS
40, KSCB NANDINI LAYOUT,
BANGALORE - 560 096.
3. SRI NARASIMHA
S/O NALLAPPA
AGED ABOUT 45 YEARS
18, KARNATAKA KOLACHE NIRMULANA PRADESH
JAI BHUVANESHWARI NAGARA
BANGALORE NORTH,
BANGALORE - 560 096.
4. SRI BHAVANNA
S/O ANJANAPPA
AGED ABOUT 70 YEARS
9, KARNATAKA KOLACHE NIRMULANA PRADESH
JAI BHUVANESHWARI NAGARA
BANGALORE NORTH,





BANGALORE - 560 096.

5. SRI PEDDANNA
S/O PULLANNA
AGED ABOUT 52 YEARS
29, KARNATAKA KOLACHE NIRMULANA PRADESH
JAI BHUVANESHVARI NAGARA
BANGALORE NORTH,
BANGALORE - 560 096.
6. SRI. SATHYANARAYAN
S/O KEMPABAIRAYYA
AGED ABOUT 57 YEARS
146, KARNATAKA KOLACHE NIRMULANA
PRADESH
JAI BHUVANESHVARI NAGARA
BANGALORE NORTH,
BANGALORE - 560 096.
7. SMT JAYALAKSHMI BAI
W/O HANUMANTHA RAO
AGED ABOUT 62 YEARS
NO 81, KSCB QUARTERS
JAI BHUVANESHWARI NAGAR,
BANGALORE NORTH
BANGALORE - 560 096.
8. SMT SHOBA
W/O JANAKIRAM
AGED ABOUT 48 YEARS
75, KSCB AREA,
JAI BUVANESHWARA NAGARA,
NANDINI LAYOUT
BANGALORE - 560 022.
9. SMT MANJU BAI
W/O JAGANNATH RAO
AGED ABOUT 29 YEARS
433, KSBC HOUSING COMPLEX,
BEHIND RING ROAD,
JAI BHVANESHWARI NAGAR,



BANGALORE - 560 096.

10. SMT RATHNAMMA
W/O LATE GAJENDRA
AGED ABOUT 38 YEARS
69, KSBC HOUSING COMPLEX,
BEHIND RING ROAD,
JAI BHVANESHWARI NAGAR
BANGALORE - 560 096.
11. SMT SHANTHA
W/O GOVINDARAJU
AGED ABOUT 38 YEARS,
67, KSCB QUARTERS
JAI BHUVANESHWARI NAGARA
NANDINI LAYOUT
BANGALORE - 560 096.
12. SMT BANU
W/O BABU
AGED ABOUT 38 YEARS
16/12, KSCB AREA,
JAI BHVANESHWARI NAGAR
BANGALORE NORTH
BANGALORE.
13. SMT SHATHAJ HUNNISA
W/O CHAND PASHA
AGED ABOUT 58 YEARS
61, JAI BHVANESHWARI NAGARA
NANDINILAYOUT
BANGALORE - 560 096.
14. SRI MOHAMMED MURSALEEN
S/O LATE ABDUL SAMAD ,
AGED ABOUT 48 YERS
70, 16TH MAIN ROAD,
4TH BLOCK, KSCB QUARTERS
JAI BHVANESHWARI NAGARA
NANDINI LAYOUT



BANGALORE - 560 096.

15. SMT PHAJILLA
W/O BABU
AGED ABOUT 45 YEARS
63, KSBC COMPLEX,
BEHIND RING ROAD
JAI BHUVANESHWARI NAGAR
BANGALORE - 560 096.
16. SRI NAGARAJU N
S/O NARAYANA A
AGED ABOUT 49 YEARS
10, KARNATAKA KOLACHE NIRMULANA
PRADESH HOUSE
JAI BHUVANESHWARI NAGARA
BANGALORE NORTH,
BANGALORE - 560 096.
17. SRI MOHAMED ISMAIL
S/O IBRAHIM SAB
AGED ABOUT 49 YEARS
50, KARNATAKA KOLACHE NIRMULANA
PRADESH HOUSES
JAI BHUVANESHWARI NAGARA
BANGALORE NORTH,
BANGALORE - 560 096.

...PETITIONERS

(BY SRI. KASHINATH J D.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
M S BUILDING,
BANGALORE - 560 001
REPRESENTED BY ITS PRINCIPAL SECRETARY.
2. THE PRINCIPAL SECRETARY
DEPARTMENT OF HOUSING TO



GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE - 560 001.

3. THE COMMISSIONER
KARNATAKA SLUM CLEARANCE
& DEVELOPMENT BOARD
SHESHADRIPURAM
BANGALORE - 560 020..

4. THE COMMISSIONER
BANGALORE DEVELOPMENT AUTHORITY
BANGALORE - 560 020.

...RESPONDENTS

(BY SMT. B.P. RADHA, AGA FOR R1 & R2;
SRI. M.P. SRIKANTH, ADVOCATE FOR R3;
SRI. MURUGESH V. CHARATI., ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE R-2 AND 3 NOT TO DEMOLISH THE HOUSE BUILDINGS OF THE PETITIONERS WITHOUT FOLLOWING DUE PROCESS KNOWN TO LAW UNDER THE PROVISIONS OF KARNATAKA SLUM AREAS [IMPREVEMENT AND CLEARANCE] ACT, 1973 AND RESIST THE R-2 AND 3 IN DEMOLITION OF HOUSES OF THE PETITIONERS TO FORMATION AND DUMPING OF ROAD FORMATION MATERIALS ON THE SCHEDULE PROPERTIES TO THIS W.P. AND ETC.

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



CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

Petitioners who are allotted certain residential accommodation in terms of document known and called as "Parichaya patra" and who are also issued with deeds of sale as narrated in paragraph Nos.3 to 11 of the petition, are before this Court seeking following reliefs:

" a. Wherefore it is prayed that this Hon'ble court may be pleased to a. Issue an order or direction or Writ in the nature of Mandamus directing the respondent no. 2 and 3 not to demolish the house buildings of the petitioners without following due process known to law under the provisions of KARNATAKA SLUM AREAS (IMPROVEMENT AND CLEARANCE) ACT, 1973 and resist the respondent no. 2 and 3 in demolition of houses of the petitioners to formation and dumping of road formation materials on the schedule properties to this writ petition in the interest of justice and equity.

b. issue writ or any other order in the nature of mandamus or any other writ, directing the respondent no. 2 and 3 to restore the water and electricity facility to petitioners houses to meet the interest of justice.

C. Issue any others order or direction as deems fit and proper by this Hon'ble court including the cost of the proceedings."

2. Case of the petitioners is that they being in possession and enjoyment of the accommodation narrated above. Without being subjected to any prior notice/enquiry, have now been threatened with forcible eviction and non-compliance of which



would eventually result in the demolition of their houses. This Court, by order dated 12.10.2018 had restrained the respondents from demolishing/dispossessing the petitioner from the petition schedule property. The said order is extended time to time.

3. That upon the direction issued by this Court, respondent No.4-BDA through its Executive Engineer Infrastructure Division, Bengaluru Development Authority has filed an affidavit dated 16.02.2026 along with six documents. Perusal of the said affidavit indicate that land in Sy.Nos.11 and 12 of Laggere Village was notified for formation of 'Nandini Layout' by the respondent-BDA in terms of preliminary notification dated 16.11.1977 followed by final notification dated 30.08.1979. Possession of the said property was taken on 24.06.1982 after passing of the award. That the said property was handed over to the respondent No.3- Karnataka Slum Development Board in terms of notification dated 16.11.1984. Thereafter, respondent No.4-BDA had proposed for formation of outer ring road and service roads on both the side of the outer ring road. That a Master Plan in this regard is evident in the Master Plan of the year 2015, which came into



effect on and after 22.06.2017. That in the meanwhile respondent No.3- Karnataka Slum Development Board had put up construction of the buildings, which are now occupied by the petitioners. That the concerned building is obstructing in respondent No.4-BDA proceeding with the formation/ construction of the service roads on either side of the ring road.

4. It is further stated that the respondent No.4-BDA has already invited tenders for construction of missing link service roads between Magadi Road Junction and Tumkur Road Junction. Construction of new service road bridge at chain link No.59.40 Km and widening of existing bridge at Km 60.15 in the outer ring road, Bengaluru. Documents produced at Annexures-R1 to R5 would indicate that the portions/pockets where the service roads have remained incomplete in view of the existing buildings. Annexure-R6 is a document handing over the completed outer ring roads to the BBMP in which paragraph b) would indicate that chain link No.59.20 Km to chain link No.60.16 Km (LHS) and chain link No.59.20 to chain link No.59.675, portion, the work being under progress, the same would be handed over after completion. It is submitted



that the houses in occupation of the petitioners falls within this stretch.

5. Sri. Murugesh V. Charati, learned counsel for the respondent No.4-BDA also brings notice of this Court the entire stretch of ring road, as found in the revised Master Plan produced at Annexure-R2, which also indicates completed and uncompleted stretch of service road. Annexure-R3 is the Google Image, pointing out the existence of the buildings in possession of the petitioners which are causing impediment in completion of the progress of service road work. He also points out to the photographs produced at Annexure-R5 series which would indicate construction of service road up to the building which is now currently in occupation of the petitioners and the portion thereafter which is demolished. Thus, referring to these documents, he would submit that in view of existence of the building in occupation of the petitioners and in the light of the interim order granted by this Court, the said work has not been completed and the same is not handed over to BBMP yet. Hence, he seeks for appropriate orders in the matter.



6. Sri. M.P. Srikanth, learned counsel for respondent No.3- Karnataka Slum Development Board on the other hand submits that there were 56 families house in the building, a portion of which was occupied by the petitioners. Out of the said 56 occupants, 39 have been relocated to a nearby housing complex, where the respondent No.3-Karnataka Slum Development Board has constructed 1,250 houses. He submits that the petitioners were also informed and invited to occupy the alternate houses. But their declining for the reason known to them has resulted in this failure. He submits due to the delay in petitioners accepting to the proposal given by the board and in the light of petitioners obtaining the interim order in this petition, the houses which were reserved to them have been illegally occupied by certain persons. However, he fairly submits that if in the event of this Court directing the petitioners to opt for alternative houses as being offered by the respondents, necessary steps will be taken to have those illegal occupants vacated and the petitioners would be accommodated in those houses. He seeks a period of four months time for the said purpose.



7. In response to the above submissions made by the learned counsel appearing for the respondent No.4-BDA and respondent No.3-Karnataka Slum Development Board, learned counsel appearing for the petitioners submits that the petitioners were neither informed nor were they invited as stated. However, he submits that the petitioners upon the assurance being made now are ready and willing to relocate and occupy the premises. He submits necessary protection to the petitioners be afforded till they are relocated.

8. Submissions are taken on record.

9. The facts narrated above do not require any reiteration. The fact remains that the building which is now currently existing, portion of which is occupied by the petitioners is falling within the area where the service road is proposed to be constructed by the respondent No.4-BDA. The material placed on record undisputedly overwhelming requiring no other probe into the same.

In the light of submission made by the learned counsel for the respondent No.3-Karntaka Slum Development Board on instructions of they accommodating the petitioners in the



alternate accommodation and in the light of the submission of some of the houses being occupied unauthorisedly, this Court deems it appropriate to dispose of the writ petition with the following directions:

ORDER

(i) Respondent No.3- Karnataka Slum Development Board shall accommodate the petitioners who are before this Court on the basis of documents produced before this Court within a period of four months from today, any impediment in this process has to be cleared by the respondent No.3- Karnataka Slum Development Board on its own without making the petitioners responsible in any manner whatsoever.

(ii) Petitioners shall vacate and occupy the portions to be offered by the respondent No.3-Karnataka Slum Development Board.

(iii) Respondent No.4-BDA would be entitled to proceed further with its construction of service roads only upon petitioners being relocated to the ordered accommodation as submitted by the learned counsel as noted above.

(iv) In any event the respondent No.4-BDA shall not precipitate the matter for a period of six months



**NC: 2026:KHC:11029
WP No. 42817 of 2018**

enabling the respondent No.3-Karnataka Slum Development Board to have the illegal occupants to be vacated and to accommodate the petitioners within said period.

**Sd/-
(M.G.S. KAMAL)
JUDGE**

RL
List No.: 1 Sl No.: 18