



HC-KAR

- 1 -

NC: 2026:KHC:16463
WP No. 9169 of 2026

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. 9169 OF 2026 (LB-BMP)

BETWEEN:

1. SRI. K.NAGARAJU
AGED ABOUT 66 YEARS
S/O LATE N. KRISHNAPPA
R/AT NO.225, 8TH MAIN
3RD STAGE, BEML LAYOUT
RAJARAJESHWARI NAGAR
BENGALURU-560 098.
2. SRI. N. SUNIL KUMAR
AGED ABOUT 43 YEARS
S/O SRI. K. NAGARAJU
R/AT NO.225, 8TH MAIN
3RD STAGE, BEML LAYOUT
RAJARAJESHWARI NAGAR
BENGALURU-560 098
3. SRI. N. RAKESH
AGED ABOUT 38 YEARS
S/O SRI. K. NAGARAJU
R/AT NO.225, 8TH MAIN
3RD STAGE, BEML LAYOUT
RAJARAJESHWARI NAGAR
BENGALURU-560 098.

...PETITIONERS

(BY SRI. VINAYA KUMAR N.D., ADVOCATE)





AND:

1. THE CHIEF COMMISSIONER
EARLIER BRUHAT BENGALURU
MAHANAGARA PALIKE (BBMP)
PRESENTLY GREATER BENGALURU AUTHORITY (GBA)
OFFICE AT HUDSON CIRCLE (CORPORATION CIRCLE)
N.R. SQUARE, BENGALURU-560 002.

2. THE ASSISTANT EXECUTIVE ENGINEER
EARLIER BRUHAT BENGALURU
MAHANAGARA PALIKE (BBMP)
PRESENTLY GREATER BENGALURU AUTHORITY (GBA)
OFFICE AT GALI ANJANEYA SWAMY TEMPLE
SUB-DIVISION, BENGALURU-560 040.

...RESPONDENTS

(BY SRI. PAWAN KUMAR, ADVOCATE)

THIS PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT OR ORDER QUASHING THE ORDER DATED 04.05.2024 PASSED IN APPEAL NO.130/2023 BY THE 1ST RESPONDENT PRODUCED AS ANNEXURE-A AND ETC.

THIS PETITION COMING ON FOR ORDERS, THROUGH PHYSICAL HEARING/VIDEO CONFERENCING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



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

ORAL ORDER

1. The case of the petitioners is that, their site measures 2,382 sq.ft. However while seeking a plan sanction by mistake they have mentioned it as 1,795 sq.ft. and a plan has been sanctioned to them by taking into consideration the sital area as 1,795 sq.ft. The petitioners admit that they have constructed a building which is beyond the plan sanctioned. However, they submit that the construction is not in violation of building bye-laws and given the site dimension and also the amendments that have taken place with regard to the relaxation in set back area, the entire construction of the petitioners can be saved. However, they submit that the impugned orders have been passed taking into consideration only the plan. Hence, they pray that an opportunity be given to the petitioners to submit a modified plan. They further undertake that if it is decided by the authorities concerned that even according to the present building bye-laws and taking into consideration the sital area as 2,382 sq.ft. that petitioners have



put up any additional constructions, they are willing to remove the same.

2. Learned counsel for the respondents have no objection for the same.

3. Hence, the following:

ORDER

1. The petitioners shall submit the necessary application for grant of sanction plan for the building being constructed (modified plan) by them within a period of three weeks from today;
2. If such an application is made within three weeks from today, respondents shall consider the same in accordance with law and pass appropriate orders;
3. Thereafter, any construction made by the petitioners in violation of the decision taken by respondents, shall be removed;



4. The petitioners shall not put up any further construction on the property till a decision is taken by respondents in this regard;
5. The writ petition stands ***disposed of*** accordingly.

Pending interlocutory applications, if any, stand disposed of.

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

PGG
List No.: 1 SI No.: 9