



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT PETITION NO.9396 OF 2026 (GM-KEB)

BETWEEN:

SRI SHARAN MODALA
S/O M.V. SUBBARAO,
AGED ABOUT 37 YEARS,
RESIDING AT GAVANAHALLI,
CHICKMAGALURU-577103.

...PETITIONER

(BY SMT. PAVITHRA N., ADVOCATE FOR
SRI KARTHIK V., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY
DEPARTMENT OF COMMERCE,
VIKASA SOUDHA,
BENGALURU-560001.
2. THE EXECUTIVE ENGINEER-2
KARNATAKA INDUSTRIAL AREAS
DEVELOPMENT BOARD,
DIVISIONAL OFFICE,
NO.14/2, 2ND FLOOR, CFC BUILDING,
MAHARSHI ARAVIND BHAVAN,
NRUPATUNGA ROAD,
BENGALURU-560001.
3. THE ASSISTANT EXECUTIVE ENGINEER (ELEC)
EAST 12TH SUB-DIVISION,
BANGALORE ELECTRICITY SUPPLY COMPANY,





MAHADEVAPUR,
BENGALURU-560048.

...RESPONDENTS

(BY SMT. RASHMI RAO, HCGP FOR R-1;
SRI H.N. VASUDEVAN, ADVOCATE FOR R-2;
SRI C. CHANNEGOWDA, ADOVCATE FOR R-3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE NOTICE DATED 20.11.2025 IN NO.SA.KA.EM(A)/SA.EM(THA)/PU-12/2025-26/1754-58 ISSUED BY THE THIRD RESPONDENT A COPY OF WHICH IS PRODUCED AT ANNEXURE-D AND DIRECT THE R-3 TO FORTHWITH RESTORE THE POWER SUPPLY TO RR NO. E12TPM-2654.

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

CORAM: HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

Heard learned counsel for the petitioner, learned HCGP for respondent No.1 and learned counsel for respondent Nos.2 and 3.

2. The petitioner has approached this Court seeking to quash the notice dated 20.11.2025 issued by respondent No.3-BESCOM (Annexure-D) and for consequential direction to restore power supply to RR E12TPM-2654.



3. Learned counsel for the petitioner submits that the issue involved in this writ petition is squarely covered by the decision of this Court in the case of **Suresh R., Vs. State of Karnataka and Others**¹ (*Suresh R.*) wherein, similar notices were directed to be treated as show cause notices and liberty was granted to submit objections before the competent authority.

4. Learned counsel for respondent Nos.2 and 3 does not dispute that the similar matters have been disposed of by this Court by directing the impugned notices to be treated as show cause notices, enabling the affected parties to submit their objections before the competent authority.

5. It is evident that the impugned notice has been issued by the BESCOM to the petitioner calling upon the petitioner to obtain No Objection Certificate (NOC) from KIADB within seven (7) days, failing which the power supply would be disconnected. The notice is issued on the

¹ W.P.No.8047/2025 and connected WPs D.D 11.03.2026



basis of the communication issued by the KIADB, alleging that the constructions undertaken by the petitioner is contrary to the sanctioned plan. However, no provisional or final determination has been passed by the KIADB, holding that the petitioner has violated the sanctioned plan. Be it as it may, the impugned notice issued by the BESCOM essentially indicates an action of disconnection of electricity in the event of failure to obtain NOC certificate from the KIADB.

6. In respect of similarly placed persons, this Court has permitted the affected parties to file their objections by treating such notices as show cause notices. No distinguishing circumstances have been demonstrated to treat the present petitioner differently. In view of the above, this Court pass the following:

ORDER

- i. The writ petition is ***disposed of*** with the following directions:



- a. The petitioner is at liberty to file his objections to the impugned notice issued by respondent No.3-BESCOM within a period of two (2) weeks from the date of receipt of copy of this order.
- b. The impugned notice shall be treated as show cause notice and the competent authority shall consider the objections filed by the petitioner and pass appropriate orders in accordance with law.
- c. Till consideration of the objections and passing of appropriate order, the respondents shall not take any coercive steps, including disconnection of electricity to the petitioner's property.
- d. All the contentions of the parties are kept.



Sri Channegowda, learned counsel is permitted to file vakalath for respondent No.3.

Sd/-

JUSTICE K.S. HEMALEKHA

AT
List No.: 1 Sl No.: 15