



HC-KAR

- 1 -

NC: 2026:KHC:16262
WP No. 16320 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

WRIT PETITION NO.16320 OF 2024 (LB-RES)

BETWEEN:

1. SRI CHANNABASAVESHWARA SWAMY ENTERPRISES
REG PARTNERSHIP
UDAYARAVI,
II MAIN ROAD, VINAYAKANAGARA,
TUMKUR - 572 101
REPRESENTED BY ITS PARTNER.
2. SRI G C VIPIN CHANDRA
S/O LATE SRI G H CHANDRASHEKARAIHAH
AGED ABOUT 52 YEARS
R/AT VINAYAKANAGARA,
TUMKUR - 572 102.

...PETITIONERS

(BY SRI. VIKYATH B., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
ROOM NO.434,
VIKASA SOUDHA,
BANGALORE - 560 001.
2. TUMKUR CITY CORPORATION
REPRESENTED BY ITS COMMISSIONER,
TOWNHALL, BHAGWAN MAHAVEER RD,





GANDHI NAGAR,
TUMAKURU - 572 102.

3. TUMKUR URBAN DEVELOPMENT AUTHORITY
(TUDA)
TOWN HALL,
TUMKUR CITY-562 102
REP. BY TUDA COMMISSIONER.

...RESPONDENTS

(BY SRI. BOPANNA BELLIAPPA, AGA., FOR R.1;
SRI. SUBRAMANYA R., ADVOCATE FOR R.2;
SRI. T.P. VIVEKANANDA, ADVOCATE FOR R.3.)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE
RESPONDENT NO.2 TO SET ASIDE THE ORDER PASSED IN
TMK-LBPAS-20920/23-24/BP DATED 27/02/2024 AT
ANNEXURE-F, 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 request of the petitioners to approve a plan for
construction of a commercial building has been rejected by
respondent no.2. Aggrieved by the same, the petitioners have
filed the present writ petition.



HC-KAR

NC: 2026:KHC:16262
WP No. 16320 of 2024

2. During the course of the proceedings, it is submitted by the counsel for the petitioners that they made a fresh application for issuance of a fresh khata, taking into consideration the relinquishment of certain portions of the property made by the petitioners towards road and conservancy purposes. It is further submitted that a fresh khata is issued in favour of the petitioners in respect of 2048.51 square meters of land.

3. Learned counsel for the petitioners submits that, in the light of the issuance of a fresh khata, the petitioners may be permitted to withdraw the writ petition, reserving liberty to make a fresh application to respondent No. 2 for sanction of a building plan.

4. Learned counsel for respondent no.2 submits that if such an application is made, the same will be considered in accordance with law and a decision will be taken on the same thereafter. Hence the following:-



ORDER

- i. The writ petition stands ***dismissed*** as withdrawn.
- ii. It is needless to state that the petitioners are at liberty to approach respondent no.2 for sanction of a building plan, and upon such application being made, respondent no. 2 will consider the same in accordance with law.

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

VMB
List No.: 1 Sl No.: 27