



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 17340 OF 2025 (GM-RES)

BETWEEN:

YASHASHWINI BSETTY
AGED ABOUT 43 YEARS
THROUGH HER SPECIAL POWER OF ATTORNEY
MOHAN KUMBAR B
RESIDENT OF- 610,
TOWER-3, DECCAN HABITAT,
PIPELINE ROAD, YESHWANTPUR,
BANGALORE-560 022.

...PETITIONER

(BY SRI. ANANTHA KASHYAP H.K., ADVOCATE)

AND:

1. SHRI. JAGADEESHA G.,
DEPUTY COMMISSIONER AND DISTRICT
MAGISTRATE, KEMPEGOWDA ROAD,
BEHIND KANDAYA BHAVANA,
BENGALURU URBAN DISTRICT,
BENGALURU-560 009.
2. SHRI. K.A. DAYANANDA,
FORMER DEPUTY COMMISSIONER AND DISTRICT
MAGISTRATE, KEMPEGOWDA ROAD,
BEHIND KANDAYA BHAVANA,
BENGALURU URBAN DISTRICT,
BENGALURU-560 009.
3. TEHSILDAR
KRISHNARAJAPURA,
BENGALURU, KARNATAKA-560 036.

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



4. STATE OF KARNATAKA,
THROUGH CHIEF SECRETARY,
VIKAS SOUDHA,
BANGALORE - 560 001.
5. M/s.SHRIVISION TOWERS PVT. LTD.,
NO. 40/43, 8TH MAIN ROAD,
4TH CROSS, SADASHIV NAGAR,
BENGALURU-560 080.

...RESPONDENTS

(BY SRI. SIDDARTH BABURAO, AGA FOR R1 TO R4;
V/O DATED 14.10.2025 NOTICE TO R5 DISPENSED WITH)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSITUTION OF INDIA PRAYING TO:

(a) PASS ORDERS AND ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT No.1, 2 AND 3 TO ACT UPON AND COMPLY WITH THE RECOVERY CERTIFICATE DATED 20.11.2023 VIDE ANNEXURE-B AND RECOVER THE DECRETAL AMOUNT FROM THE RESPONDENT No.4, DEVELOPER WITHIN A PERIOD OF ONE MONTH;

(b) ISSUE A WRIT OF MANDAMUS DIRECTING RESPONDENTS NO.1, 2 AND 3 TO INITIATE ATTACHMENT PROCEEDINGS AGAINST ALL MOVABLE AND IMMOVABLE PROPERTIES OF RESPONDENT NO.4, THE DEVELOPER, AS WELL AS ITS PROMOTERS AND DIRECTORS, AND TO RECOVER THE DECRETAL AMOUNT BY CONDUCTING AUCTION SALE OR SUCH OTHER MODE OF RECOVERY AS PERMISSIBLE UNDER LAW.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ



ORAL ORDER

1. Learned AGA accepts notice for respondents 1, 2, 3 and 4.
2. Notice to respondent No.5 is dispensed with.
3. The petitioner is before this Court, seeking the following reliefs:

"(a) pass orders and issue a writ of mandamus directing the respondent No.1, 2 and 3 to act upon and comply with the recovery certificate dated 20.11.2023 vide Annexure-B and recover the decretal amount from the respondent no.4, developer within a period of one month;

(b) issue a writ of mandamus directing respondents No.1, 2 and 3 to initiate attachment proceedings against all movable and immovable properties of respondent No.4, the developer, as well as its promoters and directors, and to recover the decretal amount by conducting auction sale or such other mode of recovery as permissible under law."

4. Memo dated 12.08.2025 has been signed by the petitioner and learned counsel for the petitioner, which reads as under:

"The Petitioner herein, submits that, the Petitioner and Respondent have settled their dispute concerning to recovery of money, which is the subject matter in the above petition.



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*The petitioner herein submits that the above petition
be dismissed as not pressed, in the interest of
justice."*

5. Accepting the said memo, the petition is ***dismissed
as withdrawn.***

**SD/-
(SURAJ GOVINDARAJ)
JUDGE**

SBN
List No.: 1 Sl No.: 21