

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

[VISHWA SHANTHI SAMSTHE AND ANOTHER VS. STATE OF  
KARNATAKA AND OTHERS]

01.07.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

**ORAL ORDER**

Mr. Manmohan P. N., the learned counsel for the petitioners, is heard on the grant of *an ad interim* order as against the second respondent's order dated 06.06.2026 [Annexure - P]. The second respondent's order is that the allotment of the civic amenity site to the first petitioner is cancelled and that the possession of the property will also be taken forthwith.

Mr. Manmohan P. N. canvases the following in support of the petitioner's request for an interim order.

- [a] The first petitioner is allotted the subject civic amenity site measuring 6,288.88 square yards in the year 1978 and the lease-cum-sale agreement is executed in the year 1983.

- [b] On the first petitioner's application, the State Government has permitted a portion of this property to be used for *commercial purposes as against being used exclusively as a civic amenity* property on terms, and the petitioner has also offered the amount so demanded. The recommendation for this is by the Mysore Urban Development Authority [*the second respondent*].
- [c] The Mysore City Corporation has granted approval in the year 2012-13 for construction of a Hospital in the portion permitted to be used for commercial purposes. The first petitioner has entered into a *license arrangement* with the second petitioner to run a Nursing College and a Hospital in the portion that is permitted to be used for commercial purposes. The petitioner has established a PU College in the other portion of the property.
- [d] The petitioners have been running the afore establishments for over a decade, and in fact, the

second respondent has executed renewal of the lease for a period of 30 years in the year 2024 after inspecting the facilities.

Mr. Manmohan P. N. submits that, in these circumstances, no proceedings could have been initiated for violation of the terms of allotment or lease but the proceedings are commenced with issuance of two separate notices without adverting to the above and by two different officers and the impugned order is by the second respondent [*the Commissioner, the Mysore Urban Development Authority*] overlooking these material circumstances. On the urgency, the learned counsel submits that the inpatients and the others are being told that they will have to relocate immediately because the second respondent proposes to take immediate possession of the property.

In consideration of these submissions and to ensure that there is no precipitation when this Court is seized of the question *whether there could even be a notice for cancellation of allotment*, the interim order is granted staying all further

proceedings pursuant to the impugned order dated 06.06.2026 [*Annexure - P*].

Mr. Bopanna Belliappa, a learned Additional Government Advocate, is called upon to accept notice for the first respondent, and Ms. Poonam Patil, a learned Standing counsel for the other respondents, subject to entrustment otherwise, is called upon to accept notice. Mr. Manmohan P. N shall ensure copies of the petition/annexures are served on the chambers of Ms. Poonam Patil at the earliest.

The office is directed to re-list this petition on **10.08.2026.**

**(B M SHYAM PRASAD)**  
**JUDGE**