

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

[SHRI. PRASHANTH T R VS. THE CHIEF EXECUTIVE  
OFFICER AND OTHERS]

09.07.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

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

**ORAL ORDER**

Ms. S Sumathi, the learned counsel for the petitioner, is heard on the petitioner's request for an *ad interim* order.

The petitioner's case is that the second and the third respondents, acting at the behest of the fourth and the fifth respondents while executing a drainage work, have permitted formation of a 'Road' within the petitioner's property. The learned counsel invites this Court's attention to the Representation submitted by the fourth and fifth respondents along with others to assert that there is some *kharab* land beyond the *drain area* where the drain work is being executed denying that there is any *kharab*.

These are the circumstances which must be examined and there cannot be precipitation when this Court is examining such circumstances. Therefore, this Court is persuaded to opine that while the second and the third

respondents could permit the execution of the drain work, they cannot permit formation of any '*Road*' and they are specifically restrained from forming such a '*Road*' without the leave of this Court, but with liberty to complete pleadings with all the supporting documents and seek vacating or for early disposal of the petition.

Mr Bhaskar Gowda N M, a learned standing counsel for the first to third respondents, is permitted to accept notice for these respondents.

There shall be Emergent Notice returnable by **03.09.2026** to the fourth and fifth respondents.

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

AN/-  
List No.: 2 Sl No.: 21