



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

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

WRIT PETITION NO. 28269 OF 2025 (LB-BMP)

BETWEEN:

1. SRI.S.PRABHAKAR
S/O D. SREERAMULU,
AGED ABOUT 61 YEARS
2. SMT. D. CHANDRAKALA,
W/O SRI. S. PRABHAKAR,
AGED ABOUT 54 YEARS

BOTH ARE RESIDING AT NO.298,
1ST 'A' MAIN ROAD, 6TH CROSS,
VHBCS, 9TH BLOCK, II STAGE,
NAGARABHAVI, BENGALURU-560 072.

...PETITIONERS

(BY SRI.H.C.SHIVARAMU., ADVOCATE FOR
SRI. DHRUVA KUMARA D N.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS CHIEF SECRETARY,
VIDHANA SOUDHA, DR.AMBEDKAR ROAD
BENGALURU-560 001.
2. THE COMMISSIONER,
BRUHATH BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, HUDSON CIRCLE,

Digitally
signed by
GEETHA P G
Location:
HIGH
COURT OF
KARNATAKA



K.G. ROAD, BANGALORE - 560 002.

3. THE ZONAL COMMISSIONER
BBMP, REMCO, BHEL LAYOUT,
R.R.NAGARA, BENGALURU - 560 098.
4. THE JOINT COMMISSIONER - WEST,
BBMP, LG-34, REMCO BHEL LAYOUT,
R.R.NAGARA, BENGALURU - 560 098.
5. THE EXECUTIVE ENGINEER,
BBMP, J.P.PARK, CHOWDESWARI BUS STOP,
MATHIKERE, BENGALURU - 560 054.
6. THE ASSISTANT EXECUTIVE ENGINEER,
BBMP, WARD NO.73, LAGGERE SUB-DIVISION,
BENGALURU. PIN 560 072.
7. SRI. CHANNAKRISHNAIAH T.C.,
S/O CHANNAPPA T.K.,
AGED ABOUT 75 YEARS.
8. SRI. C. ARUN,
S/O CHANNAKRISHNAPPA,
AGED ABOUT 25 YEARS

BOTH ARE RESIDING AT NO.166,
5TH 'C' MAIN ROAD, 7TH CROSS,
HAMPINAGAR, VIJAYANAGAR II STAGE,
BENGALURU - 560 104.

...RESPONDENTS

(BY SRI.BOPANNA.B.,AGA FOR R1;
SRI.SREEVATSA SENIOR COUNSEL FOR
SRI.PRAVEEN RAIKOTE., ADVOCATE FOR R2 TO R6;



SRI.T.N.VISWANATHA., ADVOCATE FOR R7 AND R8.)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTIONS TO THE RESPONDENTS 2 TO 6 TO TAKE APPROPRIATE ACTION TO STOP ILLEGAL CONSTRUCTION UNDERTAKEN BY THE RESPONDENTS NOS.7 AND 8 ON THE SCHEDULE - B PROPERTY IN COMPLETE VIOLATION OF THE SANCTIONED PLAN AND BUILDING LICENSE AND ALSO BBMP ACT, 2020 AS PER THE REPRESENTATIONS GIVEN BY THE PETITIONERS DATED 26.07.2025, 26.07.2025, 26.07.2025, 26.07.2025 AND 06.08.2025 VIDE ANNEXURES-A, B, D, F AND G TO THE WRIT PETITION AND ETC.,

THIS PETITION, COMING ON FOR ORDERS THROUGH VIDEO CONFERENCING / PHYSICAL HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.I.ARUN

ORAL ORDER

The writ petition is filed with a prayer to direct the respondent - Bruhat Bengaluru Mahanagara Palike (for short, 'the BBMP') now, the Greater Bengaluru Authority (for short, 'the GBA) to initiate appropriate action against the building constructed by respondent Nos.7 and 8, on



the ground that the same has been put up in violation of the building bye-laws, the sanctioned plan.

2. The learned counsel appearing for the respondent – BBMP / GBA, upon instructions, submits that the property of respondent Nos.7 and 8 has been inspected and it has been found that the construction is in violation of the building bye-laws, the sanctioned plan and that they would initiate appropriate action against respondent Nos.7 and 8.

3. The learned counsel appearing for respondent Nos.7 and 8 submits that not only their property is constructed in violation of law, even the petitioners have put up the construction in violation of law.

4. The learned counsel appearing for the respondent – BBMP / GBA submits that the property of the petitioners will also be inspected, and if it is found to be in violation of law, appropriate action will be initiated against the petitioners as well.



5. No person has the right to put up construction in violation of building bye-laws and the sanctioned plan. If such a construction is erected it is the duty of the authority concerned to initiate appropriate proceedings against the erring persons and remove the construction which is in violation of the law.

6. Hence, the following:

ORDER

- i. Respondent Nos.2 to 6 are directed to inspect the property of the petitioners also and if it is found to be in violation of sanctioned plan and the building bye-laws, take appropriate action in accordance with law to have the same removed.
- ii. Similarly, respondent Nos.2 to 6 are directed to take appropriate action, in the manner known to law, to remove the illegal/unauthorized construction put up by respondent Nos.7 and 8.



iii. The aforementioned exercise shall be completed within a period of four (04) months from today.

iv. Accordingly, the Writ Petition is hereby ***disposed of.***

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

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List No.: 1 Sl No.: 61