



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF MARCH 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 37492 OF 2025 (GM-RES)

BETWEEN:

SRI. K.R. CHINNAKRISHNA
AGED ABOUT 63 YEARS,
S/O K. RAMACHANDRIAH,
RESIDENT OF KONGANAPALLI VILLAGE AND POST,
RAMAKUPPAM MANDAL,
CHITTOR DISTRICT,
ANDHRA PRADESH.

...PETITIONER

(BY SRI. SHRINIVAS B S., ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER
KGF TALUK
KOLAR DISTRICT.
KOLAR 563101
2. THE UNION OF INDIA,
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS,
NEW DELHI-110 001.
REPRESENTED BY ITS SECRETARY.





3. THE REGIONAL OFFICER,
NATIONAL HIGHWAYS CRF M.G. ROAD,
VIJAYAWADA
ANDHRA PRADESH.
4. THE EXECUTIVE ENGINEER
NATIONAL HIGHWAYS R AND B,
CHITTOOR,
ANDHRA PRADESH.
5. INDIAN OIL CORPORATION LTD.,
OFFICE AT 4TH FLOOR, OA INDANE AREA,
UNITY BUILDING,
J.C. ROAD,
BENGALURU-560 027.
6. SMT. SUDAMANI
W/O Y. SRINIVAS,
AGED ABOUT 40 YEARS,
R/AT BEHIND OLD CANARA BANK BUILDING,
BETHMANGALA TOWN,
BANGARPAT TALUK,
KOLAR DISTRICT.

...RESPONDENTS

(BY SMT. SUKANYA BALIGA, AGA FOR R1;
SRI. RUKHIABI, CGC FOR R2;
SRI. R. SUBRAMANYA, ADVOCATE FOR R3 &
R4;
SRI. UDAY PRAKASH MULIYA, ADVOCATE FOR
R5;
SRI. ASHOK HARANAHALLI, SENIOR
ADVOCATE FOR
SRI. R. HEMANTH RAJ, ADVOCATE FOR R6)



THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE NO OBJECTION CERTIFICATE (NOC) AT ANNEXURE-F ISSUED BY THE 1ST RESPONDENT IN FAVOR OF THE 6TH RESPONDENT FOR THE ESTABLISHMENT OF A FUEL STATION IN SURVEY NO 52/1 OF MITTAKOTHUR VILLAGE, KASUMBALI HOBLI, KGF TALUK, KOLAR DISTRICT AS BEING ILLEGAL ARBITRARY AND ISSUED IN VIOLATION OF THE PRINCIPLE OF NATURAL JUSTICE AND DUE PROCESS OF LAW.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

The petitioner, who asserts ownership of the land in Sy.No.52/3 [Old Sy.No.52] measuring 1 acre 35 guntas of Mittakothur Village, Kasumbali Hobli,



KGF Taluk, Kolar District [*the Subject Property*], has called in question the No Objection Certificate [NOC] dated 08.12.2023 issued by the jurisdictional Commissioner in favour of the sixth respondent for establishing a Retail Fuel Station. This Court, on 30.12.2025, has granted an interim order because of the interim order granted in another writ petition in W.P.No.27084/2025.

2. Mr. Ashok Haranahalli, the learned Senior counsel for the sixth respondent, and Mr. R. Subramanya, the learned counsel for the National Highways Authority, have opposed the continuation of the interim order emphasizing that the grant of the interim order in another writ petition in W.P.No.27084/2025 would not be of any significance because the land in that writ petition is in a different village. This Court has thereafter heard Mr. B. S. Shrinivas, the learned counsel for the petitioner, and Mr. Ashok Haranahalli/R. Subramanya for disposal



of the petition and the petition is listed today for dictation of orders.

3. Presently, Mr. B. S. Shrinivas submits that this Court could dispose of the petition with liberty to the petitioner to pursue the application filed by him for *Hadbast* of the subject property and avail permissible remedy as against the impugned NOC based on the outcome of such proceedings. The learned counsel also submits that this Court must, given the peculiarities of the case, direct the survey officers to decide expeditiously on the pending application for *Hadbast*. Mr. Ashok Haranahalli and Mr. R. Subramanya submit that they cannot object to the petitioner withdrawing the petition with liberty to pursue the application that may be filed for *Hadbast*, but they contend that the petitioner cannot be granted any liberty to challenge the NOC. They assert that there is a pending civil suit filed by the petitioner.



4. If the petitioner wants to withdraw the writ petition to pursue an application for *Hadbast* for fixation of the boundaries for the subject property, this Court must dispose of the writ petition observing that the petitioner will be at liberty to pursue the application. However, this Court is not persuaded to remark on the remedy that would be available to the petitioner based on the outcome of the survey or the *hadbast* or the manner in which the proceedings for *hadbast* must be conducted. As such, the writ petition stands disposed of with liberty to the petitioner to pursue the application filed for *hadbast* clarifying that the pending *hadbast* proceedings in itself cannot impede the running of the Retail Fuel Outlet based on the impugned NOC.

Sd/-
(B M SHYAM PRASAD)
JUDGE

RB