



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD
DATED THIS THE 24TH DAY OF FEBRUARY 2026
BEFORE
THE HON'BLE MRS JUSTICE K.S.HEMALEKHA
WRIT PETITION NO. 101454 OF 2026 (LB-RES)

BETWEEN:

SHRI. HARISH S/O. RAGUNATH DHONGADI
AGE. 26 YEARS, OCC. BUSINESS,
R/O. H.NO.387, SAMBAJI ROAD,
KHASBAG, BELAGAVI-590003.

...PETITIONER

(BY SRI. SOURABH HEGDE, ADVOCATE)

AND:

1. THE COMMISSIONER CITY CORPORTION,
BELAGAVI, SUBHAS NAGAR, BELAGAVI- 590001.
2. M/S PORAWAL DEVELOPERS
REPRESENTED BY VIJAY PORWAL,
AGE. 35 YEARS, OCC. BUSINESS,
R/O. #2848, SHREE HIGHTS,
SAMYUKTA MAHARASHTRA CHOUKA,
KAHDE BAJAR, BELAGAVI- 590001.

...RESPONDENTS

(BY SRI. ARAVIND KULKARNI, ADVOCATE FOR R1;
NOTICE TO R2 IS DISPENSED WITH VIDE ORDER DATED 24.02.2026)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENT NO.1 TO INITIATE /COMPLETE THE PROCEEDINGS BY HOLDING APPROPRIATE INQUIRY PURSUANT TO COMPLAINT MADE BY THE PETITIONER DATED 01-12-2025 VIDE ANNEXURE-D AND SUBSEQUENT NOTICE DATED 09-01-2026 VIDE ANNEXURE-E IN ACCORDANCE WITH KARNATAKA MUNICIPAL CORPORATION ACT WITHIN 3 WEEKS; AND ETC.

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

CORAM: THE HON'BLE MRS JUSTICE K.S.HEMALEKHA





ORAL ORDER

The petitioner has approached this Court seeking a writ of mandamus directing respondent No.1-City Corporation, Belagavi to initiate appropriate proceedings pursuant to his complaint dated 01.12.2025 (Annexure-D) and consequential notice dated 09.01.2026 (Annexure-E) in accordance with the provisions of the Karnataka Municipal Corporation Act, 1976 ('Act' for short).

2. The petitioner claims to be the owner in lawful possession of the property bearing CTS No.1418/34/2 situated at Nanawadi, Belagavi. Respondent No.2 is the owner of the adjacent property of the petitioner wherein CTS No.1418/34 and that petitioner's property is situated right behind the property of respondent No.2 and the access road to the petitioner's property runs through the property of respondent No.2. The petitioner and respondent No.2 have common access road to reach their respective properties.



3. It is the case of the petitioner that respondent No.2 obstructed the petitioner's access by constructing a compound wall and installing a gate across the common road. Aggrieved by such construction, the petitioner submitted a complaint dated 01.12.2025 before respondent No.1. Pursuant thereto, respondent No.1 issued a notice dated 09.01.2026 to respondent No.1 calling for objections. However, no further action has been taken, which has led the petitioner to approach this Court.

4. Learned counsel for the petitioner submits that the obstruction caused by respondent No.2 amounts to unlawful interference with the petitioner's right of access. It is submitted that despite lodging a complaint and issuance of notice, respondent No.1 has failed to take effective steps under the Act.

5. Learned counsel appearing for respondent No.1-Corporation submits that proceedings have already been initiated pursuant to the petitioner's complaint. Notice has



been issued to respondent No.2 and appropriate action will be taken in accordance with law, after considering the objections and affording opportunity to all the concerned parties.

6. Notice to respondent No.2 has been dispensed with in view of the submission made by the petitioner in view of the limited nature of relief sought.

7. It is not in dispute that:

- i. The petitioner submitted a complaint dated 01.12.2025
- ii. Respondent No.1 has issued notice on 09.01.2026 to respondent No.2.
- iii. No final decision has yet been taken.

8. When a statutory authority initiate proceedings under the Act, it is incumbent upon such authority to complete the same within the reasonable time. Since respondent No.1 has already taken cognizance of the



complaint, and issued notice, this Court deems it appropriate to issue necessary directions to conclude the proceedings in accordance with law.

9. Accordingly, this Court pass the following;

ORDER

- i) The writ petition is ***disposed of.***
- ii) Respondent No.1-City Corporation is directed to consider and act upon the complaint dated 01.12.2025 and take appropriate action and pass appropriate orders in accordance with law.
- iii) Respondent No.1-City Corporation shall afford an opportunity of hearing to both the petitioner and respondent No.2.
- iv) The entire exercise shall be completed within a period of two (2)



HC-KAR

NC: 2026:KHC-D:2893
WP No. 101454 of 2026

months from the date of receipt of the
copy of this order.

Sd/-
JUSTICE K.S.HEMALEKHA

PJ/CT:VH
List No.: 1 Sl No.: 39