



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF DECEMBER, 2025

BEFORE

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

WRIT PETITION NO.3546 OF 2025 (GM-KEB)

BETWEEN:

MR. T.S. CHANDRASHEKAR
S/O. T.K. SREEKANTIAH,
AGED ABOUT 62 YEARS,
NO.206, SAMAYA SONATA APARTMENT,
HESSARAGHATTA ROAD,
CHICKKABETAHALLI,
VIDYARANYAPURA POST,
BANGALORE-560 097.

...PETITIONER

(BY SRI SURENDRA KUMAR N., ADVOCATE)

AND:

1. THE MANAGING DIRECTOR
BESCOM, K.R. CIRCLE,
BENGALURU-560 001.
2. THE CHIEF ENGINEER (NORTH)
BESCOM, METROPOLITAN AREA ZONE,
NO.8, APARANJI BUILDING,
NANDI DURGA ROAD, BENSON TOWN,
BENGALURU-560 046.
3. THE EXECUTIVE ENGINEER,
BESCOM, M.S. PALYA,
VIDYARANYAPURA,
BENGALURU-560097.
4. THE ASSISTANT EXECUTIVE ENGINEER
C-9 SUB DIVISION, TATA NAGAR,
BENGALURU-560 092.

...RESPONDENTS

(BY SMT. PADMA S. UTTUR, ADVOCATE)

Digitally signed by
MAHALAKSHMI B M
Location: HIGH
COURT OF
KARNATAKA



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A DIRECTION AGAINST RESPONDENT TO DISCONNECT THE POWER CONNECTION GIVEN TO THE SHED SITUATED AT CORNER WESTERN SIDE ON THE SITE NO.3 FORMED OUT OF SURVEY NO.58 OF CHIKKABETTAHALLI WHICH IS MORE FULLY DESCRIBED IN THE SCHEDULE AND ETC.,

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

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

ORAL ORDER

The petitioner has approached this Court seeking a writ of mandamus directing respondents-Bengaluru Electricity Supply Company Limited (BESCOM) authorities to disconnect the electricity connection allegedly granted to a shed situated within the schedule property and for consequential relief including initiation of action against the concerned official.

BRIEF FACTS

2. The petitioner claims to be the absolute owner of site No. 3 formed out of Sy. No. 58 of Chikka Bettahalli



Village, having purchased the same under a registered sale deed dated 03.12.2003. It is the case of the petitioner that he has put up a compound wall around the property and a small sheet roof shed on one corner thereof. It is submitted that the third parties namely one Shankar and one Vipin N Prasad allegedly interfered and that a civil suit in OS No. 4711/2022 is pending, wherein an order of temporary injunction has been granted restraining interference with the compound wall.

3. According to the petitioner, despite representations dated 01.03.2024 and 31.08.2024, requesting BESCOM not to grant electricity connection to the shed, the respondent No. 4 has allegedly provided electricity connection in the name of Vipin P. Prasad, which is asserted to be illegal and in violation of law. On these premise, the petitioner seeks for disconnection of electricity supply and disciplinary and criminal action against the concerned BESCOM official.



Contentions of the petitioner

4. Learned counsel for the petitioner contends that the grant of electricity connection to the shed is illegal, arbitrary and violative of the petitioner's property rights. It is submitted that the BESCO authorities ought to have considered the petitioner's representation and the pendency of the civil suit before granting such connection. It is further urged that the action of the respondent No. 4 amounts to abuse of power and interference with the petitioner's possession.

Contention of the respondents

5. The learned counsel for the respondents contends that the petition is not maintainable as the dispute essentially pertains to the possession and *inter se* rights between the private party which is already subject matter of a civil suit. It is submitted that the electricity connection does not determine title or possession and the petitioner has an effective alternative remedy before the



competent Civil Court under the relevant Electricity Regulations.

FINDINGS

6. On careful consideration of the pleadings and submission, it is evident that the core dispute between the parties revolve around the possession and alleged interference with the schedule property. The petitioner relies upon the pendency of OS No. 4711/2022, wherein issues relating to possession are directly in issue. The grant or continuation of an electricity connection by itself does not confer title or legal possession. It is well settled that disputes relating to civil suits, possession and alleged encroachment are matters to be adjudicated by the competent Civil Court on appreciation of evidence. The petitioner has already availed civil remedy and obtained an order of injunction. If there is any violation of the said order or any grievance arising out of the acts of a private respondent, the petitioner is at liberty to work out his remedies before the Civil Court in accordance with law.



7. Insofar as action of electricity connection is concerned, the petitioner has not demonstrated any jurisdictional error or patent illegality warranting interference. The prayer sought would require this Court to enter into disputed questions of fact, which is impermissible in writ jurisdiction. In substance, the petitioner seeks enforcement of his private civil rights under the guise of a public law remedy which cannot be entertained.

8. For the foregoing reasons, the writ petition is ***dismissed***. However, liberty is reserved to the petitioner to pursue remedies available to him before the competent Civil Court or any other appropriate forum.

Sd/-

JUSTICE K.S. HEMALEKHA