



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 15TH DAY OF DECEMBER, 2025
BEFORE
THE HON'BLE MR. JUSTICE E.S.INDIRESH
WRIT PETITION NO. 42180 OF 2017 (GM-PP)

BETWEEN:

1. SRI ANJANEYA SWAMY TEMPLE SEVA MANDALI
THE SOCIETY
REGISTERED UNDER THE PROVISIONS OF THE
KARNATAKA SOCIETIES
REGISTRATION ACT
HAVING ITS OFFICE AT
SURVEY NO.5/2, DESRAJ URS ROAD,
J.C.NAGARA (MUNIREDDI PALYA),
BENGALURU – 560 006.
REPRESENTED BY ITS GENRAL SECRETARY,
SRI. K.S.MAHADEVA RAO,
AGED ABOUT 77 YEARS,
S/O LATE SRI. SATWAJI RAO.
2. SRI. SANJEEV KUMAR
AGED ABOUT 48 YEARS
S/O LATE SRI.JAYARAM,
RESIDENT OF SY.NO.5/2,
KAVAL BYRASANDRA VILLAGE,
J.C.NAGARA (MUNIREDDI PALYA),
BENGALURU – 560 006.

...PETITIONERS

(BY SRI. ABHINAV RAMANAND A, ADVOCATE)



AND:

1. THE UNION OF INDIA
MINISTRY OF DEFENCE,
PARLIAMENT SECRETARIAT,
NEW DELHI – 110 001.
REPRESENTED BY ITS SECRETARY.
2. PARACHUTE REGIMENT TRAINING CENTRE (PRTC)
J.C.NAGARA, BENGALURU – 560 006.
REPRESENTED BY ITS COMMANDER
3. THE BRIGADIER/ESTATE OFFICER
THE STATION HEAD QUARTERS,
CUBBON ROAD,
BENGALURU – 560 001.

...RESPONDENTS

(BY SRI. A CHANDRA CHUD, CGSPC FOR R1 TO R3)

THIS WP FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER
PASSED BY THE 3RD RESPONDENT BEARING
NO.7224/PPE/PRTC/SVY NO.56-2/KB/(2-K)/2017 DATED
18.08.2017 AT ANNEXURE-J TO THE WRIT PETITION AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH



ORAL ORDER

1. Heard Sri.Abhinav Ramanand A., learned counsel appearing for the petitioner and Sri. A. Chandra Chud, learned CGSPC appearing for respondent Nos.1 to 3.

2. In this writ petition, the petitioners are assailing the Order dated 18.08.2017 (Annexure-J) passed by the respondent No.3.

3. Sri. Abhinav Ramanand A., learned counsel appearing for the petitioners, invited the attention of this court to the judgment and decree dated 14.06.1990 in OS.No.10707/1982 on the file of XIV Additional City Civil Judge at Mayo Hall, Bangalore City, Annexure-D, wherein, the petitioner No.1 herein has stated that the land in-question has been purchased by the petitioner committee in the year 1914. It is also submitted by the learned counsel representing the petitioners that, no notice has been issued before issuing the order at Annexure-J to the writ petition and accordingly sought for interference of this Court.



4. Per contra, Sri. A. Chandra Chud, learned CGSPC appearing for the respondents sought to justify the impugned order at Annexure-J to the writ petition.

5. Having taken note of the submissions made by the learned counsels appearing for the respective parties and also on careful examination of Annexure-E, wherein, in the Possession Certificate, it is stated that the land is being purchased by the committee in the year 1914 to an extent of 5 acres 14 guntas, and same was handed over to the Mandir Committee. I have also noticed the finding recorded by the Trial Court in O.S.No.10707/1982 (Annexure-D). In that view of the matter, without expressing any opinion on the merits of the case, the respondent No.3 is directed to issue Show Cause Notice to the petitioner and thereafter, to take a decision in the matter in accordance with law. It is also made clear that, while issuing a notice to the petitioner herein, the respondent shall consider the order passed by the Trial Court in the above case, as well as the Annexure-E to the writ petition,

6. Accordingly, I proceed to pass the following:



ORDER

- i. The writ petition is ***allowed***.
- ii. The order dated 18.08.2017 issued under Section 3A of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, (Annexure-J) is hereby, set aside.
- iii. Liberty is reserved to the respondent No. 3 to take decision in accordance with law.

**Sd/-
(E.S.INDIRESH)
JUDGE**

NM
List No.: 1 Sl No.: 25