



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF APRIL, 2025

PRESENT

THE HON'BLE MR JUSTICE KRISHNA S DIXIT

AND

THE HON'BLE MR JUSTICE RAMACHANDRA D. HUDDAR

WRIT PETITION NO. 7356 OF 2025 (BDA)

BETWEEN:

DR. SARVABHOUMA SATAGOUD BAGALI
S/O LATE SATAGOUD BAGALI,
AGED ABOUT 78 YEARS,
FORMER MLA,
R/A NO.77, SRINAGARA COLONY,
SOLAPURA ROAD, VIJAYAPURA-586 101,
VIJAYAPURA DISTRICT.

...PETITIONER

(BY SRI. CHETHAN A C.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
URBAN DEVELOPMENT,
VIKASA SOUDHA, BENGALURU-560 001.
2. THE COMMISSIONER,
BANGALORE DEVELOPMENT AUTHORITY,
T.CHOWDAIAH ROAD,
BENGALURU- 560 020.

...RESPONDENTS

(BY SRI.B RAVINDRANATH., AGA FOR R1;
SRI.B S SACHIN.,ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO I)
ISSUE A WRIT OF MANDAMUS DIRECTING THE SECOND
RESPONDENT TO EXECUTE THE SALE DEED FOR SITE NO.1572,
M. VISHVESHWARAYA LAYOUT 2ND BLOCK MEASURING 50 FEET

Digitally signed
by CHETAN B
C



Location: HIGH
COURT OF
KARNATAKA



80 FEET IN FAVOUR OF THE PETITIONER FORTHWITH ANNEXURE-A AND II) PASS SUCH FURTHER OR OTHER ORDERS.

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

CORAM: HON'BLE MR JUSTICE KRISHNA S DIXIT
AND
HON'BLE MR JUSTICE RAMACHANDRA D. HUDDAR

ORAL ORDER

(PER: HON'BLE MR JUSTICE KRISHNA S DIXIT)

The short grievance of the petitioner is as to non-execution & registration of a due conveyance in respect of the subject site allotted to him under 'G' category. Learned counsel appearing for the petitioner submits that there is a constitutional mandate enacted in Article 350 of the Constitution of India to the effect that whenever a citizen raises the grievance in writing, it cannot go unnoticed by the authorities that be, for an indefinite period.

2. Learned Senior Panel Counsel appearing for the respondent-BDA initially resisted the petition saying that if there is no sale deed, it can be a case of Specific Performance for which appropriate suit proceeding has to



be instituted and not before the court of Constitutional Jurisdiction.

3. Having heard the learned counsel for the parties and having perused the Petition Papers, we are broadly in agreement with the submission of learned counsel appearing for the petitioner that the subject representation merits due consideration at the hands of respondent-BDA in a time bound manner and in accordance with law. Our view is supported by the text of Article 350 of the Constitution which is as under:

"350. Language to be used in representations for redress of grievances.

Every person shall be entitled to submit a representation for the redress of any grievance to any officer or authority of the Union or a State in any of the languages used in the Union or in the State, as the case may be."

Grievance of the petitioner having not been granted redressal in accordance with law, the petitioner cannot be kept waiting and guessing indefinitely.



In the above circumstances, this petition is allowed; a Writ of Mandamus issues to the 2nd respondent to consider or cause to be considered petitioner's representations dated 21.2.2022 & 24.3.2022, in accordance with law and within an outer limit of eight weeks. All contentions are kept open.

It is open to the answering respondents to solicit any information/records from the side of the petitioner subject to the rider that in the guise of such solicitation, delay shall not be brooked.

Costs have been reluctantly made easy.

**Sd/-
(KRISHNA S DIXIT)
JUDGE**

**Sd/-
(RAMACHANDRA D. HUDDAR)
JUDGE**