



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF APRIL, 2025

PRESENT

THE HON'BLE MR JUSTICE KRISHNA S DIXIT

AND

THE HON'BLE MR JUSTICE M.NAGAPRASANNA

WRIT PETITION NO. 8301 OF 2025 (LA-BDA)

BETWEEN:

1. SMT. MADHU C. RAJENDRA
W/O CHIKKARAJENDRA,
AGED ABOUT 44 YEARS,
2. SRI. CHIKKARAJENDRA D.K,
S/O SRI. KARE GOWDA,
AGED ABOUT 49 YEARS,

BOTH ARE R/O H.NO. 29,
KEMPE GOWDA ENCLAVE,
SHYAMARAJAPURA, BENGALURU - 560 097,

ALSO AT NO. 283, LAKSHMI NIVASA,
1ST CROSS, VINAYAKA NAGARA,
GUBBI - 572 216, TUMAKUR DISTRICT.

...PETITIONERS

(BY SMT. K. SHOBHA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
URBAN LAND DEVELOPMENT DEPT,
VIDHANA SOUDHA, BENGALURU - 560 001,
REP. BY ITS UNDER SECRETARY.



2. THE BENGALURU DEVELOPMENT AUTHORITY,
SANKY ROAD, KUMARA PARK WEST,
BENGALURU - 560 002,
REPRESENTED BY ITS COMMISSIONER.
3. THE SPECIAL LAND ACQUISITION OFFICER,
BENGALURU DEVELOPMENT AUTHORITY,
SANKY ROAD, KUMARA PARK WEST,
BENGALURU - 560 002,
REPRESENTED BY ITS COMMISSIONER.

...RESPONDENTS

(BY SRI. SHIVAPRASAD SHANTANAGOUDAR, ADVOCATE FOR
R2 AND R3;
SRI. M. RAJAKUMAR, AGA FOR R1)

THIS WP IS FILE UNDER ARTICLES 226 ND 227 OF THE
CONSTITUTION OF INDIA 1. ISSUE WRIT IN NATURE OF
MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR
DIRECTION AND THEREBY DIRECT THE RESPONDENTS TO
CONSIDER THE REPRESENTATION MADE BY THE PETITIONER
AS PER ANNEXURES-A, B DATED 08/09/2021, 21/10/2024 AND
FOR REGULARIZATION OF H.NO.29 IN KEMPEGOWDA ENCLAVE
OF SY.NO.14 AT SHYAMARAJAPURA AND THEREBY DIRECT THE
BDA TO REGULARIZE RESPECTIVE HOUSE BY ISSUING THE
CERTIFICATE AND ETC.,

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

CORAM: HON'BLE MR JUSTICE KRISHNA S DIXIT
and
HON'BLE MR JUSTICE M.NAGAPRASANNA

ORAL ORDER

(PER: HON'BLE MR JUSTICE M.NAGAPRASANNA)

1. The petitioners are before this Court seeking the
following prayer:



"1. Issue writ in nature of Mandamus or any other appropriate writ, order or direction and thereby direct the Respondents to consider the representation made by the petitioner as per ANNEXURE-A, B, dated 8-9-2021 and 21-10-2024 for regularization of H.No.29 in "KEMPEGOWDA ENCLAVE" of Sy. No 14 at Shyamarajapura and thereby direct the BDA to regularize respective house by issuing the certificate.

2. Further, direct the Respondent BDA to regularise the schedule property in favour of Petitioner on collecting the developmental charges.

3. To grant such other and further relief so as to cost of the proceedings as this Hon'ble court deems fit in the circumstances of the case in the interest of justice and equity."

2. Heard Smt. K. Shobha, learned counsel for petitioners, Sri M. Rajakumar, learned Additional Government Advocate for respondent No.1 and Sri Shivaprasad M. Shantanagoudar, learned standing counsel for respondent Nos.2 and 3.

3. Smt. K. Shobha, learned counsel for the petitioners submits that the petitioners have submitted representations on 08.09.2021 and 21.10.2024, after the Committee had regularized or granted regularization of the property, in identical circumstances. Plethora of representations seeking regularization of the dwelling houses of the petitioner and the like, are neither accepted nor rejected by the BDA.



4. Sri Shivaprasad Shantanagoudar, learned counsel for respondent Nos.2 and 3 – BDA submits that if reasonable time is granted, the representations of the petitioner would be considered and necessary orders would be passed in accordance with law.

5. In the light of the aforesaid submission, we deem it appropriate to pass the following:

ORDER

- a. The writ petition is allowed.
- b. The respondent Nos.2 and 3 – Bangalore Development Authority to consider the representations of the petitioners dated 08.09.2021 and 21.10.2024, forthwith.
- c. The respondents – Bangalore Development Authority shall also communicate the order that would be passed on the representations, to the petitioners.
- d. Till the consideration of the representations of the petitioners happen, the parties are directed to



maintain *status quo, qua* the property of the
petitioners.

Ordered accordingly.

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

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

GH
List No.: 1 Sl No.: 9
CT: BHK