NC: 2025:KHC:17337-DB
WP No. 8695 of 2025

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. 8695 OF 2025 (LA-BDA)

BETWEEN:

MR. SOLOMON ROBIN VAS,
S/O PETER VAS,
AGED ABOUT 28 YEARS,
R/O H.NO. 13, KEMPE GOWDA ENCLAVE,
SHYAMARAJAPURA, BENGALURU - 560 097.

ALSO AT R/O 84/1, 18TH CROSS,
MUTHYAL NAGAR, MATHIKERE,
BENGALURU - 560 054.

...PETITIONER

(BY SMT. K. SHOBHA, ADVOCATE)

Digitally signed by NAGAVENI
Location: High Court of Karnataka

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 WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A 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 17.10.2022 AND 29.08.2024 FOR REGULARIZATION OF H.No-11 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 petitioner is 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 17-10-2022 and 29-08-2024 for regularization of H.No.2 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 petitioner, 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 petitioner submits that the petitioner has submitted representations on 17.10.2022 and 29.08.2024, 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 petitioner dated 17.10.2022 and 29.08.2024, forthwith.

c. The respondents – Bangalore Development Authority shall also communicate the order that

would be passed on the representations, to the petitioner.

d. Till the consideration of the representations of the petitioner happen, the parties are directed to maintain *status quo, qua* the property of the petitioner.

Ordered accordingly.

Sd/-
(KRISHNA S DIXIT)
JUDGE

Sd/-
(M.NAGAPRASANNA)
JUDGE

GH
List No.: 1 Sl No.: 11
CT: BHK