



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.11369 OF 2025 (BDA)

BETWEEN:

RAMESH MUNIYAPPA
S/O Y. MUNIYAPPA,
AGED ABOUT 59 YEARS,
FORMER COMMUNICATIONS
ADVISOR TO CHIEF MINISTER,
R/AT 266, SONAR STREET,
CHAMARAJA MOHALLA,
MYSURU - 570024.

...PETITIONER

(BY SRI. CHETHAN A.C., ADVOCATE)

AND:

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



3. THE DEPUTY SECERTARY -1,
BANGALORE DEVELOPMENT AUTHORITY,
T. CHOWDAIAH ROAD,
BENGALURU - 560 020.

...RESPONDENTS

(BY SRI. B. RAVINDRANATH, AGA FOR R1;
SRI. B.S. SACHIN, ADVOCATE FOR R2 & R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE SECOND AND THIRD RESPONDENTS TO ALLOT AN ALTERNATIVE SITE TO THE PETITIONER IN TERMS OF THE REPRESENTATION DATED 15.07.2021 (ANNEXURE-A).

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, 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)

Petitioner is knocking at the doors of this Court with
the following prayer:

" 1. Issue a writ of mandamus directing the second and third respondents to allot an alternative site to the petitioner in terms of the representation dated 15.07.2021 (Annexure-A)."

2. Learned counsel appearing for the petitioner submits that though payment has been made towards the



site in question, the site does not avail and therefore, alternative site has to be given. He draws our attention to representation dated 15.07.2021, wherein he has made such a request to the respondent - BDA. Learned counsel submits that in terms of Article 350 of the Constitution Of India, wherein a grievance raised by a citizen, the jurisdictional authority has to grant redressal thereto and this having not happened, he is complaining before the Writ Court.

3. Learned counsel appearing for the State and learned Panel Counsel appearing for the respondent - BDA resist the petition initially contending that there is no enforceable right, merely because the representation of the kind is submitted. Having so contended, now in all fairness, they agree to consider the subject representation in accordance with law if reasonable time is granted.

In the above circumstances, this petition is disposed of directing the second & third respondents - BDA to consider or cause to be considered the subject representation at the hands of competent authority, in accordance with law,



and inform the result of such consideration to the petitioner within an outer limit of eight weeks. All contentions of the parties are kept open.

It is open to the answering respondents to solicit information or any plea of the petitioner or such other authorities/departments who happen to be custodians thereof as are required for due consideration of the subject representation. Petitioner also can, on his own, produce documents supportive of his representation. However in that guise, delay shall not be brooked.

No order as to costs.

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

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

Sac/Bsv
List No.: 1 Sl No.: 19