



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT PETITION NO. 33004 OF 2025 (BDA)

BETWEEN:

1. BANGALORE INSTITUTE FOR HIGHER EDUCATION
AND RESEARCH
REGISTERED UNDER INIDIAN TRUST ACT 1882
REP. BY ITS MANAGING TRUSTEES
SRI. NAVEEN REDDY. G
S/O. GOPAL REDDY,
AGED ABOUT 35 YEARS,
RESIDING AT P-1, GCK APARTMENT,
SERENITY LAYOUT, KAIKONDRAHALLI,
SARJAPURA ROAD, BELLANDUR,
BANGALORE - 560 103.
SRI. SATHSH ESHWAR
S/O U.S. ESWAR
AGED ABOUT 49 YEARS
RESIDING AT NO.150,
OLD MADRAS ROAD, ULSOOR,
BANGALORE - 560 008.

...PETITIONER

(BY SRI. ZULFIKIR KUMAR SHAFI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
URBAN DEVELOPMENT DEPARTMENT
VIDHANA SOUDHA,
BENGALURU - 560 001.
REPRESENTED BY ITS SECRETARY



2. BENGALURU DEVELOPMENT AUTHORITY (BDA)
T.CHOWDAIAH ROAD,
KUMARA PARK EAST,
BENGALURU - 560 020.
REPRESENTED BY ITS COMMISSIONER
3. THE TOWN PLANNING MEMBER
BANGALORE DEVELOPMENT AUTHORITY
T.CHOWDAIAH ROAD,
BENGALURU - 560 020.
4. THE CHIEF COMMISSIONER
GREATER BENGALURU AUTHORITY (GBA)
(HUDSON CIRCLE)
BENGALRU - 560 002
KARNATAKA.

...RESPONDENTS

(BY SRI. RAJKUMAR M., AGA FOR R1
SRI. VASANTHA, ADVOCATE FOR R2 AND R3
SRI. A. SUBRAMANI, ADVOCATE FOR R4)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO A) TO ISSUE A WRIT OF MANDAMUS OR SUCH OTHER WRIT/S AGAINST THE RESPONDENT DIRECTING THE RESPONDENT NO.2 TO CONSIDER THE PETITIONERS REPRESENTATION VIDE BEARING NO.REF/BIHER/2025-26/000145 DATED 02.05.2025 AT ANNEXURE -K AND ISSUE THE PRELIMINARY CERTIFICATE CHANGE OF LAND USE FOR EDUCATIONAL PURPOSE IN RESPECT OF LAND MEASURING 5024.29 SQUARE METERS IN SY.NO. 148 OF KUDLU VILLAGE, SARJAPURA HOBLI, ANEKAL TALUK, BENGALURU URBAN DISTRICT AND ETC.



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

CORAM: HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

The petitioner is a registered Educational Trust and has approached this Court seeking a writ of mandamus directing respondent No. 2 to consider its representation seeking change of land use for educational purpose in respect of the land measuring 5024.29 square meters in Sy. No.148 of Kudlu village, Sarjapura Hobli, Anekal Taluk, Bengaluru Urban District, which has remained unconsidered.

2. The petitioner's trust was granted an extent of 2 acres of land in Sy. No. 148 of Kudlu village on lease for 30 years by the State Government in the year 2016 for the establishment of Educational Institution. The land was thereafter converted for educational purpose by the Deputy Commissioner on 03.03.2016, and Khata was issued in favour of the petitioner.

3. At the time when the petitioner sought for change of the land use, a portion of the land was shown as reserved for



formation of 60 metre wide road under the High-Tech City Corridor project, pursuant to the preliminary notification issued in the year 01.08.2003 and final notification dated 14.02.2005. The said acquisition was however quashed in entirety by this Court in WP No.10800/2005 dated 30.07.2008. Notwithstanding the same, the Bangalore Development Authority granted change of land use only in respect of 3029.36 square metres by preliminary certificate dated 29.11.2021, excluding the remaining extent of 5024.29 square meters in Sy.No. 148. Owing to the urgency the petitioner accepted the change of land use and established a school which is functioning with the statutory recognition.

4. The petitioner being unable to utilise the remaining extent has continued to pay the lease rent for the entire 2 acres. Seeking expansion of the institution, petitioner submitted a representation dated 02.05.2025 requesting change of land use for its remaining portion which has not yet been considered till date.

5. Learned counsel for the petitioner contends that the acquisition of the high-tech city corridor and the proposed



acquisition stood quashed and abandoned and there is no subsisting reservation or legal impediment to consider the petitioner's representation for change of land use. The non-consideration of the representation has compelled the petitioner to approach this Court in this writ petition.

6. Learned counsel appearing for the BDA submits that the subject land has been handed over to the Greater Bangalore Authority-respondent no. 4 by a notification dated 10.10.2025 and the BDA is no longer the competent authority.

7. The learned counsel appearing for respondent no. 4- Greater Bangalore Authority submits that the petitioner's request could be considered in accordance with law and as per Section 14(A) of the Karnataka Town and Country Planning Act, 1961 ('Act' for short). It is not in dispute that the acquisition notification dated 01.08.2003 and final notification dated 14.02.2005 have been quashed in entirety and the proposed high-tech city corridor project including 60 metre wide road stood abandoned and the said order has attained finality.



8. The grievance of the petitioner is confined to non-consideration of the representation and hence a mandamus directing the respondent to consider the same would be warranting.

Accordingly, this Court pass the following:-

ORDER

1. The writ petition is ***allowed in part.***
2. The petitioner is permitted to submit a representation along with all the documents including the conversion order to the Greater Bangalore Authority seeking change of land use to the educational purpose in respect of 5024.29 square meters in Sy.No.148 of Kudlu village, Sarjapura Hobli, Anekal Taluk, within 2 weeks from the date of receipt of the copy of this order.
3. Upon such representation by the petitioner, respondent no. 4 shall consider the same in accordance with law, bearing in mind that there is already a conversion order in favour of the



petitioner and pass appropriate orders within a period of six weeks from the date of such representation.

Sd/-

JUSTICE K.S. HEMALEKHA

VS
CT-SG
List No.: 1 Sl No.: 2