



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 1695 OF 2026 (BDA)

BETWEEN:

KUM SUNITHA H G
D/ O. GUNDEGOWDA,
AGED ABOUT 39 YEARS,
R/AT. NO.44, HAROKOPPA,
SOGALA POST, CHANNAPATNA TALUK,
RAMANAGARA DISTRICT - 562 138.

...PETITIONER

(BY SRI. K H SUPRITH, ADVOCATE FOR
SRI. VASANTH KUMAR H.T., ADVOCATE)

AND:

1. THE BENGALURU DEVELOPMENT AUTHORITY
T. CHOWDAIAH ROAD KUMARA PARK WEST
BENGALURU -560 020.
REPTD. BY ITS COMMISSIONER
2. THE ASSISTANT EXECUTIVE ENGINEER
NO.2, SUB-DIVISION
NAADAPRABHU KEMPEGOWDA LAYOUT DIVISION
NO. 101/3 AND 102/2, BDA OFFICE
JNANABHARATHI LAYOUT
B.M. ROAD, KENGERI OPP. METRO PILLAR - 594
BENGALURU - 560 060.

...RESPONDENTS

(BY SRI.AJAY KUMAR M., ADVOCATE FOR R1 AND R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO DIRECTING THE

Digitally signed
by
HEMALATHA J
Location: HIGH
COURT OF
KARNATAKA



RESPONDENT NO.2 NOT TO INTERFERE AND OBSTRUCT IN TO THE PETITIONER'S CONSTRUCTION WORK INTO THE SCHEDULE PROPERTY AND ETC.

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

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioner has sought for a writ in the nature of mandamus to direct the respondent No.2 not to interfere or obstruct with the ongoing construction in the schedule property. She has also sought for a writ in the nature of mandamus to restrain the respondent No.2 from dispossessing her from the schedule property. The property described in the schedule is a site bearing No.582, V.P. Katha No.11/582, situated at Challaghatta Village, Ramohalli Grama Panchayath, Kengeri Hobli, Bengaluru South Taluk.

2. (i) The petitioner contends that she is the owner of the aforesaid property having purchased it from its erstwhile owner in terms of a sale deed dated 19.10.2020. She contends that the aforesaid property was formed in Sy.No.11 of Challaghatta Village, which totally measures 15 acres 20



guntas. The respondent No.1 issued a preliminary notification followed by a final notification issued by the State Government to acquire land in Sy.No.11 for formation of Sri Nadaprabhu Kempegowda Layout. Out of the total extent of 15 acres 20 guntas only 8 acres was acquired for the said scheme and the remaining 7 acres 20 guntas were leftover from acquisition in respect of which an endorsement was issued by the respondent No.1 on 11.03.2008. The respondent No.2 conducted a survey and prepared a sketch of the acquired land and submitted a report acknowledging the deletion of 7 acres 20 guntas out of 15 acres 20 guntas in Sy.No.11. The petitioner claims that in the survey sketch, the petitioner's site is identified as lying within Sy.No.11/2.

(ii) The petitioner claims that she obtained a housing loan from LIC Housing Finance Limited to construct a building over the said property. She also obtained electricity supply to the building. When the construction work was under progress, the respondent No.2 without any orders from the respondent No.1, frequently visited the construction spot and threatened to



demolish the existing construction and marked a line on the building.

3. The petitioner claims that in similar circumstances, owner of an adjacent site bearing No.602 had approached this Court in W.P.No.28099/2024 and that this Court had granted an interim stay restraining respondent No.2 from interfering with the ongoing construction work. She contends that the said Writ Petition is disposed of directing the respondents to pass appropriate order. The petitioner is therefore before this Court seeking the reliefs mentioned above.

4. During the pendency of this Writ Petition, this Court appointed an Assistant Director of Land Records (henceforth referred to as 'ADLR') to identify the area that was notified and the area that was left over from the acquisition. The ADLR has surveyed the property and has submitted its report on 18.06.2026, which shows that the property of the petitioner lies within Sy.No.11/2, which is not included in the acquisition. A copy of the survey report is also furnished to the learned counsel for the respondent No.2, who does not dispute that the property claimed by the petitioner lies within the excluded



portion of land in Sy.No.11 identified as Sy.No.11/2 on instructions.

5. In that view of the matter, the petition deserves to be allowed and accordingly, the following order is passed:

ORDER

- i. This Writ Petition is ***allowed***;
- ii. The respondents are directed not to interfere or obstruct the petitioner's construction in the aforesaid property. The respondent No.2 is strictly warned against taking any action to disturb or cause annoyance to the petitioner or her possession in the site bearing No.582 situated in Sy.No.11/2 of Challaghatta Village.
- iii. This shall not be construed as granting permission to the petitioner to construct any building on the aforesaid land violating the law relating to building byelaws and if at all the petitioner intends to put up construction, she



NC: 2026:KHC:34107
WP No. 1695 of 2026

shall do so only after obtaining necessary plan
and sanction from the concerned Authority.

Sd/-
(R. NATARAJ)
JUDGE

BKN/List No.: 1 Sl No.: 9