



CNR: KAHC010053572023

NC: 2026:KHC:41877
WP No. 2351 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 2351 OF 2023 (BDA)

BETWEEN:

1. SRI. MUKESH KUMAR K. V.
S/O VENKATESHALU K. M.,
AGED ABOUT 45 YEARS,
2. SMT. BANUMATHI
W/O MUKESH KUMAR K. V.,
AGED ABOUT 43 YEARS,

BOTH ARE R/AT:
NO. 274/B, 11TH MAIN,
37TH A CROSS, 4TH T BLOCK,
JAYANAGAR,
BENGALURU - 560 041.

...PETITIONERS

(BY SRI. SUNDARESH H. C., ADVOCATE)

AND:

1. THE COMMISSIONER,
BANGALORE DEVELOPMENT AUTHORITY,
T. CHOWDAIAH ROAD,
KUMARA PARK WEST,
BENGALURU - 560 020.



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2. THE DEPUTY SECRETARY-I,
BANGALORE DEVELOPMENT AUTHORITY,
T. CHOWDAIAH ROAD,
KUMARA PARK WEST,
BENGALURU - 560 020.

3. THE ASSISTANT EXECUTIVE ENGINEER,
BANGALORE DEVELOPMENT AUTHORITY,
T.CHOWDAIAH ROAD,
KUMARA PARK WEST,
BENGALURU-560 020.

...RESPONDENTS

(BY SRI. KARTHIKEYAN B. S., ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF MANDAMUS TO CONSIDER THE REPRESENTATION FILED BY THE PETITIONER DATED 03.08.2021 AND 18.08.2021 AS PER ANNEXURE-K AND L RESPECTIVELY FOR ALLOTMENT OF ALTERNATIVE SITES BEARING NO.B7-SJ-5265, MEASURING 24 X 15 MTRS, SITUATED AT NADAPRABHU KEMPEGOWDA LAYOUT, AS PER THE DECISION TAKEN BY THE COMMITTEE CONSTITUTED BY THE BDA DATED 09.02.2022 IN SUBJECT NO.1 BY THE 2ND RESPONDENT AND ALSO AS PER THE CD REPORT DATED 22.05.2022 FURNISHED BY THE ENGINEERING DEPARTMENT VIDE SL.NO.BDA/DS/1/339/2020-21 AS PER ANNEXURE-H AND RECOMMENDATION MADE BY THE DEPUTY SECRETARY - I AS PER ANNEXURE-G FOR ALLOTMENT OF THE ALTERNATIVE SITE AS MENTIONED ABOVE AND ETC.,

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



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CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioners have sought for a writ in the nature of mandamus to consider the representations dated 03.08.2021 and 18.08.2021 for allotment of an alternative site bearing No.B7-SJ-5265 measuring 24x15 meters, situated at Nadaprabhu Kempegowda Layout, as per the decision taken by the committee constituted by the respondent - Bangalore Development Authority (BDA) dated 09.02.2022 and also as per the CD report dated 22.05.2022 furnished by the Engineering Department and the recommendation made by the Deputy Secretary-I.

2. The petitioners contend that the vendor of the petitioners was allotted a site bearing No.3215, measuring 24 x 15 meters, situated at Arkavathi, 7th Block Layout. The petitioners purchased the said site in terms of a sale deed dated 14.07.2017. Thereafter, it was brought to the notice of the petitioners that the site purchased by the



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petitioners were transferred to the erstwhile owner under the REDO scheme. The petitioners thereafter approached the respondents with a request to allot an alternative site in their favour. Respondent No.1 by his letter dated 03.08.2021, directed the Executive Engineer of respondent No.1 to conduct a spot inspection of the site and to submit a report regarding the status of the site. The Executive Engineer visited the spot and submitted a report stating that the site in question is transferred to the erstwhile owner under the REDO scheme. Therefore, the case was placed before the committee constituted for allotment of alternate sites. The committee in its meeting held on 09.02.2022 decided to allot an alternate site in favour of the petitioners at Nadaprabhu Kempegowda Layout and further directed the Engineering Department to identify an alternate site for allotment to the petitioners and to collect the CD report of the site.

3. As per the decision taken, the Deputy Secretary addressed a letter dated 20.05.2022 to the Executive



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Engineer to identify site measuring 24x15 meters at Nadaprabhu Kempegowda Layout and furnish CD report of the site for allotment of the same in favour of the petitioners. As per the directions, the Deputy Secretary, the Engineering Department identified a site No.B7-SJ-5265 at Nadaprabhu Kempegowda Layout and the CD report of the site was also furnished to the respondent stating that the site is free from all encumbrances and recommended for allotment of the same. After the CD report of site No.B7-SJ-5265 was submitted, the Deputy Secretary and the Secretary of BDA both recommended for allotment of the site to the petitioners and the entire record was placed before the Commissioner for approval. The petitioners repeatedly approached the respondents with a request to allot the alternate site identified. However, the respondents did not take any steps in that regard, which compelled the petitioners to submit representations dated 03.08.2021 and 18.08.2021.



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4. The petitioners contend that despite the representations, the respondents have not taken any decision and therefore, prays for a direction to the respondents to consider the representations dated 03.08.2021 and 18.08.2021 and allot the alternate site bearing No.B7-SJ-5265 at Nadaprabhu Kempegowda Layout.

5. Learned counsel for the petitioners reiterated the above submissions and prayed that a direction be issued to the respondents to consider the representations and also allot the alternate site identified by the Executive Engineer as per the recommendations of the committee.

6. Learned counsel for the respondents submitted that steps would be taken to consider the representations filed by the petitioners for allotment of an alternate site as per the direction of the Committee and as per the CD report furnished by the Engineering Department.



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7. In view of the above, this petition is ***disposed of*** directing the respondents to consider the representations of the petitioners dated 03.08.2021 and 18.08.2021 and allot an alternate site bearing No.B7-SJ-5265 measuring 24x15 meters at Nadaprabhu Kempegowda Layout, as per the decision taken by the committee constituted by respondent No.1 dated 09.02.2022 and also as per the CD report dated 22.05.2022 furnished by the Engineering Department and the recommendation made by the Deputy Secretary-I for allotment of the alternate site. This shall be complied within a period of three (03) months from the date of receipt of a copy of this order.

**Sd/-
(R. NATARAJ)
JUDGE**

MCR
List No.: 1 Sl No.: 36