



CNR: KAHC010128262022

NC: 2026:KHC:39507
WP No. 6202 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

WRIT PETITION NO. 6202 OF 2022 (GM-KIADB)

BETWEEN:

M/S MANJUSHREE SPNTEK PVT LTD.,
CIN NO. U33119KA2020PTC136935
NO.1, SHOBHA, 5TH FLOOR
NO.50, ST. MARKS ROAD
BENGALURU - 560 001
REPRESENTED BY ITS CHAIRMAN
SRI VIMAL KEDIA
REGISTERED UNDER COMPANIES ACT 2013.

...PETITIONER

(BY SRI.PUSHPADANTA SAMYAM T.,ADVOCATE FOR
SRI. SANDEEP PATIL., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF INDUSTRIES AND COMMERCE
M S BUILDING
BANGALORE - 560 001
REP BY ITS SECRETARY.
2. KARNATAKA INDUSTRIAL
AREA DEVELOPMENT BOARD
NO.49, 4TH AND 5TH FLOOR,
EAST WING, KHANIJA BHAVAN
RACE COURSE ROAD,
BANGALORE - 560 001.
REPRESENTED BY ITS
CHIEF EXECUTIVE OFFICER

...RESPONDENTS

Digitally
signed by
SUMA B N
Location:
HIGH
COURT OF
KARNATAKA



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(BY SRI. M. SRINIVAS KUMAR., HCGP FOR R1;
SRI. SANJAY., ADVOCATE FOR
SRI. B.B. PATIL., ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECTING THE RESPONDENTS TO CONSIDER THE REPRESENTATION MADE BY THE PETITIONER DATED 07.03.2022(ANNEXURE-A) SEEKING TO DEMARCATATE AND PROVIDE ACCESS TO LEASED PROPERTY.

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

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

1. Petitioner, who is a transferee from an allottee of industrial plot bearing Sy.Nos.32/1, 32/2, 32/3, 33/1, 33/2 and 38, measuring 12 acres and 27 guntas, forming part of an industrial area is before this Court seeking following reliefs:

" (i) Issue a writ of mandamus directing the respondents to consider the representation made by the petitioner dated 07-03-2022 (ANNEXURE-A) seeking to demarcate and provide access to leased property in the interest of justice and equity.

(ii) To pass any appropriate order as this Hon'ble may deems fit in the facts and circumstances of this case in the interest of justice and equity."



CNR: KAHC010128262022

2. Case of the petitioner is that the aforesaid industrial plot was originally formed part of a larger industrial plot measuring 26 acres and 16.5 guntas, which was allotted to one M/s. Landsend Projects for the purpose of setting up integrated park, a single unit complex. The said plot was allotted in favour of M/s. Landsend Projects on 24.01.2015, possession certificate was issued and lease-cum-sale agreement was also executed.
3. That the said M/s. Landsend Projects had surrendered 26 acres and 16.5 guntas of land back to respondent-KIADB. In the meanwhile, petitioner had approached the respondent-KIADB for allotment of 12 acres and 27 guntas of land for its project of setting up "Medical Non-woven Manufacturing Factory", which was approved by the State Level Single Window Clearance Committee. Respondent-KIADB had accordingly re-allotted the aforesaid land in favour of the petitioner. Possession certificate was issued and lease-cum-sale



CNR: KAHC010128262022

agreement was executed in favour of the petitioner. Thus, the petitioner has been in possession and enjoyment of the said land.

4. Things stood thus, it is alleged that, the earlier allottee M/s. Landsend Projects and its representatives have been causing interference in the possession and enjoyment of the said land by the petitioner by blocking the access road to the land allotted in favour of the petitioner. The said cause constrained the petitioner to file a suit against the said M/s. Landsend Projects and also to approach police authorities. Petitioner had also made a representation dated 04.03.2022, as per Annexure-A to the respondent-KIADB. Which has not been considered by the respondent-KIADB, constraining him to approach this Court by filing present writ petition.
5. Learned counsel for the petitioner, referring to Annexure-G, which is a sketch showing the details of the land that has been allotted in favour of the



CNR: KAHC010128262022

petitioner, submits that on the Northern side of a private piece of land in possession of Abbanaguppe Colony, there exists a road providing access to the plot allotted to the petitioner and the KIADB road, which has been obstructed by M/s. Landsend Projects. That since the said road is being maintained, managed and under control of respondent-KIADB, it owes a duty to provide and ensure free access. Non-consideration of the representation as per Annexure-A, in this regard has constrained the petitioner. Hence, seeks for allowing of the petition.

6. Learned counsel appearing for the respondent-KIADB, on the other hand, drawing attention of this Court to the suit in O.S.No.211/2021, filed by the petitioner against the said M/s. Landsend Projects produced at Annexure-J, submits that the alleged blocking of the road is an account of private dispute between the petitioner and said M/s. Landsend Projects. He further submits that though the said M/s. Landsend Projects



CNR: KAHC010128262022

was originally allotted 26 acres and 16.5 guntas of land, there was a private arrangement, in furtherance of which, half of the land was allotted to the petitioner and remaining half has been allotted to M/s. Landsend Projects. Therefore, he submits that the dispute between petitioner and the said original allottee M/s. Landsend Projects being at a private *lis*, the same cannot be the reason to hold respondent-KIADB liable for not carrying out the alleged statutory obligation.

7. However, he fairly submits, as regards the roads which are constructed and to be maintained by the respondent-KIADB, should there be any blockage/obstruction, the same will be attended to and access will be provided. He also submits if the dispute is within the land which has been allotted to the parties, it is for them to work out their remedy and the respondent-KIADB could not be held responsible for the same.
8. Heard and perused the records.



CNR: KAHC010128262022

9. Issue in the light of the facts narrated above is with regard to the petitioner seeking free access allotted to it by the respondent-KIADB. Sketch at Annexure-G, indicate existence of 12 meters wide road providing access to KIADB Main Road to the plot allotted in favour of the petitioner, said road is admittedly constructed and being maintained by the respondent-KIADB. The respondent-KIADB is required to ensure that the said 12 metres approach road is kept open and accessible to public as well as the petitioner, free from any encroachment, obstruction and hindrance. This obligation on the part of respondent-KIADB is not disputed.
10. Since the petitioner has made out a case in this regard, petition is ***allowed***.
11. The respondent-KIADB is directed to consider the representation at Annexure-A and provide access to the petitioner through the 12 metres road shown in the Annexure-G.



**NC: 2026:KHC:39507
WP No. 6202 of 2022**

CNR: KAHC010128262022

12. Necessary action in this regard shall be taken by the respondent-KIADB within 30 days from the date of receipt of certified copy of this order.
13. It is further made clear, if the *lis* between the petitioner and the M/s. Landsend Projects pertains to the area other than the said 12 metres of access road, no liability can be fastened on the respondent-KIADB.

**Sd/-
(M.G.S. KAMAL)
JUDGE**