



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 05TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE E.S.INDIRESH

WRIT PETITION NO.7449 OF 2025 (KLR-RES)

BETWEEN:

1. SRI. NARAYANA
S/O BYRAPPA,
AGED ABOUT 54 YEARS,
R/AT NO.73, GANTIGANAHALLI,
DODDABALLAPURA ROAD,
YELAHANKA,
BENGLAURU - 560 064.

...PETITIONER

(BY SRI. VIJAYA KUMAR K., ADVOCATE)

AND:

1. THE DEPUTY COMMISSIONER
BENGALURU URBAN DISTRICT,
KANDAYA BHAVAN,
K.G ROAD,
BENGALURU - 560 009.
2. ADDITIONAL DIRECTOR OF
TOWN PLANNING DIVISION,
BANGALORE DEVELOPMENT AUTHORITY,
5TH MAIN ROAD, KUMARAPARK WEST,
GUTTAHALLI,
BENGALURU - 560 020.

...RESPONDENTS



(BY SRI. SPOORTHY HEGDE N., HCGP FOR R1;
SRI. K. KRISHNA, ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ENDORSEMENT ORDER ISSUED BY THE RESPONDENT NO.1, IN RESPECT OF THE LAND IN SY NO. 23/33, MEASURING 17 GUNTAS AND 0.03.8 GUNTAS KARAB, SITUATED AT GANTIGANAHALL VILLAGE, NORTH (ADDITIONAL) TALUK, YELAHANKA HOBLI, BENGALURU DISTRICT (CONVERSION APPLICATION NO.699780 DATED 09.02.2024) (ANNEXURE-A); AND ETC.

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

CORAM: HON'BLE MR. JUSTICE E.S.INDIRESH

ORAL ORDER

Heard the learned counsel appearing for the parties.

2. In this writ petition, the petitioner has assailed the Endorsement order produced at Annexure-A, whereby respondent No. 1 has rejected the application filed by the petitioner seeking



conversion of land for change of usage of subject matter of the land.

3. At the outset, it is urged on behalf of the respondents that the petitioner has an efficacious alternative remedy before the Karnataka Appellate Tribunal.

4. In this regard, the learned counsel for the petitioner, by referring to Section 95(2) of the Karnataka Land Revenue Act, 1964, submitted that the application for conversion was filed on 09.02.2024 and, since the competent authority did not take any decision within the prescribed period of thirty days from the date of receiving the application, the approval for diversion for use shall be deemed to have been granted by the Deputy Commissioner. Subsequent rejection of the application under Annexure-A is unsustainable. It is further contended



that the delay would result in deemed conversion under the provisions of the Act.

5. Per contra, Sri. K. Krishna, learned counsel appearing for respondent No.2-BDA submitted that the said provision as to deemed conversion is not applicable to the facts of the present case. He contended that respondent No. 1 was required to verify various documents and obtain reports from different authorities before taking a decision on the application. In that regard, reliance is placed on Annexure-H, letter dated 24.07.024 issued by BDA to demonstrate that the authorities were in the process of securing the relevant records and reports. Therefore, it is argued that the petitioner's contention regarding deemed conversion cannot be accepted. Accordingly, he sought dismissal of the writ petition.



6. Having considered the submissions made by the learned counsel appearing for the parties, this Court is of the view that adjudication of the controversy would require examination of the original records and other relevant materials maintained by the competent authorities. Such an exercise involves appreciation of factual aspects, which can more appropriately be undertaken by the statutory appellate Tribunal constituted under the Act.

7. In view of the availability of an alternative statutory remedy, this Court is not inclined to entertain the writ petition, however, liberty is reserved to the petitioner to avail such remedy as may be available in law before the competent forum.

Accordingly, the writ petition stands ***disposed of*** with liberty as aforesaid.



It is further observed that the period spent by the petitioner in prosecuting the present writ proceedings shall be entitled to exclusion for the purpose of limitation in accordance with Section 14 of the Limitation Act, 1963.

**SD/-
(E.S.INDIRESH)
JUDGE**

SB
List No.: 1 Sl No.: 71