



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 11152 OF 2025 (LB-BMP)

C/W

WRIT PETITION NO. 7282 OF 2025 (LB-BMP)

IN WP No. 11152/2025

BETWEEN:

1. MR. MANJU REDDY
S/O. SAMPANGI RAMA REDDY
AGED ABOUT 47 YEARS,
2. MRS. MAMATHA .S.,
WIFE OF MR. MANJU REDDY,
AGED ABOUT 39 YEARS.

BOTH ARE RESIDING AT NO. 1026/7,
'D' BLOCK, 3RD CROSS,
OPP. BROOKFIELD, AECS LAYOUT,
KUNDANAHALLI,
BENGALURU - 560 037.

...PETITIONERS

(BY SRI. H PAVANA CHANDRA SHETTY.,ADVOCATE)

Digitally
signed by
VANAMALA
N
Location:
HIGH
COURT OF
KARNATAKA



AND:

1. THE COMMISSIONER
BBMP, NO.1, N.R.ROAD,
BENGALURU-560 002.
2. THE ASSISTANT EXECUTIVE ENGINEER,
OFFICE OF THE ASST. EXECUTIVE ENGINEER,
HOODI (SUB-DIVISION),
MAHADEVAPURA ZONE
BENGALURU -560 043.

...RESPONDENTS

(BY SRI. PAWAN KUMAR., ADVOCATE FOR R1 & R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO (A) QUASHING THE IMPUGNED NOTICE BY THE 2ND RESPONDENT I.E. THE ASST. EXECUTIVE ENGINEER, HBR SUB-DIVISION, BBMP, BEARING NO.BBMP/AEE/HSD/651/24-25, ON 27/02/2025, WHICH IS PRODUCED AT ANNEXURE -H.

IN WP NO. 7282/2025

BETWEEN:

MR. REDDYVARI BHOOPATHI
AGED ABOUT 43 YEARS,
SON OF MR. ESWAR KUMAR REDDYVARI,
RESIDING AT NO.31/A,



NC: 2026:KHC:35784
WP No. 11152 of 2025
C/W WP No. 7282 of 2025

23RD CROSS, 18TH MAIN ROAD
HSR LAYOUT, 3RD SECTOR,
BENGALURU 560102

...PETITIONER

(BY SRI. RAM PRASAD P., ADVOCATE)

AND:

1. BRUHAT BENGALURU MAHANAGARA PALIKE
(BBMP)
N.R. SQUARE,
CORPORATION CIRCLE
BANGALORE-560002
REPRESENTED BY ITS
CHIEF COMMISSIONER
2. CHIEF COMMISSIONER
BRUHATH BENGALURU MAHANAGARA
PALIKE (BBMP)
HAVING ITS OFFICE AT NR SQUARE
CORPORATE CIRCLE
BANGALORE- 560002.
3. BENGALURU ELECTRICITY SUPPLY COMPANY
(BESCOM)
CORPORATE OFFICE, K R CIRCLE
BANGALORE - 560 001.
4. BANGALORE WATER SUPPLY AND
SEWERAGE BOARD (BWSSB)
CAUVERY BHAVAN, K.G ROAD
BANGALORE-560009



REPRESENTED BY ITS CHAIRMAN

5. MR. MANJU REDDY
AGED ABOUT 47 YEARS,
SON OF SAMPANGI RAMA REDDY,

6. MRS MAMATHA
AGED ABOUT 38 YEARS
WIFE OF MANJU REDDY

RESPONDENTS 5 AND 6
ARE RESIDING AT NO.1026/7,
D-BLOCK, 3RD CROSS,
OPPOSITE BROOKFIELD,
AECS LAYOUT, KUNDANAHALLI,
BANGALORE - 560037.

...RESPONDENTS

(BY SRI. PAWAN KUMAR., ADVOCATE FOR R1 & R2;
SRI. LOKESH K., ADVOCATE FOR R3;
SRI. B L SANJEEV., ADVOCATE FOR R4;
SRI. H PAVANA CHANDRA SHETTY., ADVOCATE
FOR R5 AND R6)

THIS W.P. IS FILED UNDER ARTICLES 226 AND
227 OF THE CONSTITUTION OF INDIA PRAYING TO
DIRECT THE RESPONDENTS 1 AND 2 TO
DEMOLISH THE WHOLLY ILLEGAL AND
UNAUTHORIZED STRUCTURES/CONSTRUCTION IN
THE SCHEDULE PROPERTY, THAT IS WITHOUT
BUILDING PLAN AND BUILDING LICENSE; DIRECT



THE RESPONDENTS 5 AND 6 FROM PUTTING UP WHOLLY ILLEGAL AND UNAUTHORIZED STRUCTURES/CONSTRUCTION IN THE SCHEDULE PROPERTY, THAT IS WITHOUT BUILDING PLAN AND BUILDING LICENSE; DIRECT THE RESPONDENT NO.3 TO DISCONNECT THE TEMPORARY ELECTRICITY SUPPLY TO THE WHOLLY ILLEGAL AND UNAUTHORIZED STRUCTURES/CONSTRUCTION AND FURTHER DIRECT NOT TO SUPPLY PERMANENT ELECTRICITY TO THE WHOLLY ILLEGAL AND UNAUTHORIZED CONSTRUCTION IN THE SCHEDULE PROPERTY, THAT IS WITHOUT BUILDING PLAN AND BUILDING LICENSE; DIRECT THE RESPONDENT NO.4 NOT TO SUPPLY WATER AND/OR WATER CONNECTION TO THE WHOLLY ILLEGAL AND UNAUTHORIZED CONSTRUCTION IN THE SCHEDULE PROPERTY, THAT IS WITHOUT BUILDING PLAN AND BUILDING LICENSE.

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

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD



ORAL ORDER

The petitioner in W.P.No.7282/2025 owns an immovable property that abuts the property owned by the fifth and the sixth respondents, who have filed their writ petition in W.P.No.11152/2025. The parties, for convenience, are arrayed as they are arrayed in W.P. No. 7282/2025. The petitioner's grievance is with the alleged unauthorised construction by the fifth and sixth respondents, and these respondents' grievance is with the Order under Section 248(1) of the Bruhat Bengaluru Mahanagara Palike Act, 2020 [BBMP Act].

2. The fifth and the sixth respondents have the advantage of the Final Order in W.P. No.5274/2026. This Court has disposed of this petition on 19.02.2026 quashing an Endorsement and directing the authorities to consider the applications filed by these respondents for plan approval. After this order, these respondents have



been admitted to a sanction plan and a building license. The Provisional Order impugned in W.P.No.11152/2025. The petitioners in W.P.No.7282/2025 contend that the construction by these respondents is commenced without a sanctioned plan.

3. Both Sri Ram Prasad P, the learned counsel for the petitioner in W.P.No. 7282/2025, and Sri H. Pavana Chandra Shetty, the learned counsel for the fifth and sixth respondents, are categorical in stating that the petition in W.P.No.7282/2025 is rendered infructuous because the fifth and sixth respondents are admitted to the sanction plan. The question then is about the terms upon which the writ petition in W.P.No.11152/2025 must be disposed of. In this regard, this Court must refer to the interim orders in these petitions. This Court has permitted the respondents to proceed with the construction if it is in accordance with the sanctioned plan and this



Court has also called upon the Greater Bengaluru Authority [GBA] to inspect the property and file a report.

4. On the previous occasion, Sri Ram Prasad P has canvassed that the report is not filed though the inspection is conducted, and he has reasons to state that the GBA and its officers are acting in cohorts with the fifth and sixth respondents. This Court has observed that it would be necessary for the jurisdictional Executive Assistant Engineer to file a report into this Court on the deviations from the sanctioned plan and that if this Court were to discern any laches in the authorities acting despite the interim orders on the inspection, the officers could be called upon to answer why proceedings should not be commenced against them individually.

5. On behalf of the fifth and sixth respondents, it was stated that the construction is stopped and that they are only taking measures to



safeguard the building material lying at the site and are not undertaking any other activity. Presently, an Action Taken Report is filed. Sri Ram Prasad P asserts that this Action Taken Report establishes the petitioner's case that there is a deviation from the sanctioned plan, but Sri H. Pavana Chandra Shetty opposes the same.

6. This Court, in the circumstances of the case, opines that, because there is an allegation of deviation from the sanctioned plan, the appropriate recourse would be to allow the proceedings to be initiated under Section 243 of the Greater Bengaluru Governance Act, 2024 [*GBG Act*] as it envisages an inspection of the construction with notice, a provisional order if the circumstances justify, the notice of such provisional order and an opportunity to show cause with an occasion for personal hearing. In the present case, this procedure must be followed before there can be a final word on whether there is



deviation from the sanctioned plan and any inspection and provisional order that could be, must be in the backdrop of the Action Taken Report that is filed into this Court today.

7. The next question is about the fifth and the sixth respondents being permitted to complete construction during the pendency of such proceedings and reserving them with liberty to avail the advantage of the Notification dated 05.01.2026 if that is even applicable. The answer to the first must be in a definite no, and this is because it is shown to this Court's satisfaction that the fifth and sixth respondents still have to show that there is no deviation from the sanctioned plan in the light of the Action Taken Report.

8. As regards these respondents being entitled to the benefit of the Notification dated 05.01.2026, this Court opines that this is also an aspect that must be brought out when there will be



an opportunity to show cause against the confirmation of a provisional order. This aspect must be considered while passing a confirmation order under Section 243[3][e] of the GBG Act. In the light of the afore, the petitions stand disposed of by the following

ORDER

- [A]** The petitions stand disposed of.
- [B]** The petitioner is reserved with liberty to file, with the jurisdictional authority under Section 243 of the GBG Act, a certified copy of this Order along with a copy of the Action Taken Report filed into this Court today. They shall be at liberty to file these within a week from the date of receipt of a certified copy of this Order.
- [C]** The jurisdictional authority under Section 243 of the GBG Act shall, within two [2] weeks from the date of receipt of the certified copy of this Order and the Action



Taken Report, initiate proceedings for inspection and further action.

[D] The fifth and the sixth respondents shall not commence construction until there is an order as contemplated under Section 243 of the GBG Act, but they will be at liberty to rely upon the Notification dated 05.01.2026 if it is applicable as part of the response to the Provisional Order that may be after due process.

Sd/-
(B M SHYAM PRASAD)
JUDGE

NV