



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF JULY 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 27640 OF 2019 (LB-RES)

BETWEEN:

1. SRI. KIRAN MURTHY
S/O BVS MURTHY
35 YEARS
RESIDING AT 2793
NEW NO. K-18
5TH CROSS
CHAMUNDIPURAM
KR MOHALLA
MYSORE-570004.
2. SMT SHWETHA P
W/O SRI KUMARASWAMY
36 YEARS
RESIDING AT 3547
3RD CROSS
TILAKNAGAR
MYSORE-570 021.

Digitally
signed by
VANAMALA N
Location:
HIGH COURT
OF
KARNATAKA

...PETITIONERS

(BY SRI. ANOOP HARANAHALLI., ADVOCATE)



AND:

1. THE MYSORE URBAN DEVELOPMENT
AUTHORITY
R/BY ITS COMMISSIONER
MYSORE-570005.
2. THE MYSORE CITY CORPORATION
R/BY ITS COMMISSIONER
MYSORE-570001.
3. MADHUVANA GRUHA NIRMANA SAHAKARA
SANGHA NIYAMITHA
NO. 41, 42, V.V. MARKET BUILDING,
K.R. MOHALLA AGRAHARA
MYSORE - 570 004.

...RESPONDENTS

(BY SRI.T.P. VIVEKANANDA., ADVOCATE FOR R1;
SMT. GEETHA DEVI M.P., ADVOCATE FOR R2;
SRI. ABISHEK KUMAR., ADVOCATE FOR R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR
RECORDS PERTAINING TO THE IMPUGNED
ENDORSEMENT ISSUED BY THE R-2 BEARING NO.
MyNaPa/NaYoSha/Tam(1) Va.Ka.(2)/37/ 2018-19 DATED
03.12.2018 AND NO. MyNaPa/NaYoSha/Tam(1)
Va.Ka.(2)/38/ 2018-19 VIDE ANNEX-V & W AND
IMPUGNED ENDORSEMENTS BEARING NO.
MyNaPra/Pra:Pra:Pa/NaYoSha/325/2018-19 DATED
15.12.2018 ISSUED BY THE R-1, VIDE ANNEX-X & Y,



PERUSE THE SAME AND QUASH THE SAME AS
ARBTIRARY AND ILLEGAL.

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

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

ORAL ORDER

DAILY ORDER

Sri T.P. Vivekananda, the learned counsel for
the first respondent, seeks leave to place on record
copies of the orders by the District Consumer Disputes
Redressal Commission [District
Commission]/Karnataka State Consumer Disputes
Redressal Commission [State Commission] and invites
this Court's attention to the order dated 15.06.2026.

This Court, in its order dated 15.06.2026, has
called upon the concerned to place on record materials
collated in terms of the directions of the Chairperson
of the first respondent if a decision is not taken on
such collated material. The documents are taken on



record, and the petition stands disposed of by a separate order upon hearing the learned counsels for the parties.

ORDER

The petitioners have the benefit of allotment of sites, and the details of such allotment are as follows.

S1. No	Particulars	Smt. M.Chikkammanni	Sri R.Mahadevu
1.	Site No.	18	19
2.	Measurement	East-West 12.00 Mtrs, North-South 36.00 Mtrs.	East-West 12.00 Mtrs, North-South 36.00 Mtrs.
3.	Date of Allotment	23.10.1999 by Madhuvana House Building Co-operative Society Ltd., Mysore (ANNEXURE – A]	23.10.1999, by Madhuvana House Building Co-operative Society Ltd., Mysore (ANNEXURE – B]
4.	Date of possession	Possession Letter issued by MUDA on 23.03.2000 (ANNEXURE - C)	Possession Letter issued by MUDA on 23.03.2000 (ANNEXURE - D)
5.	Khata endorsement and Assessment entry in Book No.4 details	No.606 by MUDA, Mysore, vide its Letter dated 25.03.2000 (ANNEXURE - E)	No.605 MUDA, Mysore, vide its Letter dated 25.03.2000 (ANNEXURE – F)



6.	Date of Registration and details	Regd. as Document No.5015, at pages 197-199, Volume I, Book I, date:28.09.2001, in the Office of Sub-Registrar, Mysore South. (ANNEXURE - G)	Regd. as Document No. 11788, at pages 80-83, Volume I, Book I, date:04.03.2002, before Sub-Registrar, Mysore South. (ANNEXURE - H)
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2. The petitioners are aggrieved by the Endorsements issued by the first and second respondents. These endorsements are produced as *Annexures - V, W and X, Y*. If some of the Endorsements are issued by the second respondent, the others are issued by the first respondent, however the contents of these Endorsements are consistent. The concerned petitioners have been informed by these Endorsements that they cannot be granted sanction for building plan or be issued with building licence because the sites for which there is allotment in their favour are reserved for park and open spaces according to the *Revised Master Plan - 2031*.



3. The petitioners' case is that they have been allotted with the respective sites by a House Building Cooperative Society and they have the benefit of registered documents. The petitioners assert that they are not the only allottees who have been issued with Endorsements and that the others have also been issued with the similar Endorsements but the respondents have relented in the case of others and issued not only sanction for the building plan but also building license.

4. This Court, on 20.01.2026, has recorded the tentative submissions on behalf of the first respondent that its Board is taking up the subject for discussion and will pass just orders in the light of the petitioners' case that the other similarly placed persons, but who did not even have registered sale deeds, have been issued with Sanctioned Building Plans/ Building License after they have approached



either the District Commission or the State Commission.

5. This Court subsequently, on 15.06.2026 has taken on record the submissions by the learned Counsel for the first respondent, Sri T.P. Vivekananda, that the Chairperson of the Board has called upon the concerned to collate the requisite materials and that a meeting is expected to be held shortly. This Court has called upon those collated materials to be placed before this Court if a decision is not taken by the scheduled date of hearing [*this date*]. In response, Sri T.P. Vivekananda has placed on record photocopies of the following orders.

Sl. Nos.	Particulars
1	C.C No.113/2009 - Sri M. Prasad vs The Commissioner, MUDA and another
2	C.C No.655 to 658/2010 - Sri K.N Krishnegowda and others vs The Commissioner, MUDA and another
3	C.C No.212/2012 - Smt. K. Ranganayaki vs The Commissioner, MUDA



4	C.C No.443/2013 - Sri. T.R Vijayalakshmi vs MUDA and another
5	C.C No.659/2014 - Sri S. Ashok vs The Commissioner, MUDA

6. It would suffice for this Court to observe, ongoing through the records [*including the documents now placed on record*], that the District Commission in a series of matters, in very similar circumstances where the allottees were not even issued with title deeds, has called upon the first respondent to execute sale deeds. The appeals filed by the first respondent against some of these orders with the State Commission are dismissed. Significantly, this Court in W.P. No. 55111/2015 has directed both the first and second respondents to consider the similar representations as in the case on hand to execute a registered sale deed observing that if there is any delay, the first respondent shall pay cost of Rs.1,000/- for every day's delay.



7. There is no quarrel that each of the directions issued by the District Commission, as affirmed by the State Commission or by this Court, have been upheld. This Court, in the circumstances, does not find a cause to justify the petitioners being discriminated or even differentiated and they must be admitted to the full advantage of the title deeds in their favour which would also include the right to seek approval of the sanction for the Sanctioned Building Plan and Building License. In the light of the afore, the following

ORDER

[A] The petition is allowed. The impugned Endorsements [*Annexures - V, W and X, Y*] are quashed reserving liberty to the petitioners to file individually a certified copy of this Order with the second respondent.



[B] The petitioners are permitted to make their *online* submissions for sanction of the Building Plan and approval of the Building License.

[C] The second respondent is called upon to ensure that the applications submitted by the petitioners for sanction of the Building Plan and approval of the Building License are considered without reference to the quashed Endorsements or to the sites being marked for a certain public purpose.

Sd/-
(B M SHYAM PRASAD)
JUDGE

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