



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 7TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 8795 OF 2026 (BDA)

BETWEEN:

SRI. K JAGADISH
S/O SRI. M.K. MANI
AGED ABOUT 43 YEARS
RESIDING AT NO. 634/1
4TH B MAIN, 6TH B CROSS
OMBR LAYOUT, BANASWADI
BENGALURU-560 043

...PETITIONER

(BY SRI. NANDISH A PATEL, ADVOCATE)

AND:

1. BANGALORE DEVELOPMENT AUTHORITY
T. CHOWDIAH ROAD,
KUMARA PARK WEST
BENGALURU-560 020.
REPRESENTED BY ITS COMMISSIONER
2. THE EXECUTIVE ENGINEER,
NORTH DIVISION
BENGALURU DEVELOPMENT AUTHORITY
R.T. NAGAR
BENGALURU-560 032.

...RESPONDENTS

(BY SRI. AJAY KUMAR M., ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO SET ASIDE AND/OR QUASH
THE IMPUGNED LETTER/NOTICE BEARING NO.BDA/LAO/254/2025-26



DATED 13.10.2025 ISSUED BY THE RESPONDENT AUTHORITY
(ANNEXURE -H) AND ETC.

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

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioner has sought for a writ in the nature of certiorari to quash the letter bearing No.ಬೆಂಗಳೂರು/ಸ.ಕ.ಅ(ಉ.ವಿ)/254/2025-26 dated 13.10.2025 issued by respondents' authority. He has also sought for a writ in the nature of mandamus to direct respondent Nos.1 and 2 not to interfere with the possession of the petitioner in the properties mentioned in the schedule to the writ petition and not to take any coercive steps or action or demolish the construction put up in the property described in the schedule to the writ petition. He has also sought for a writ in the nature of mandamus to direct respondent Nos.1 and 2 to compensate a sum of Rs.10,00,000/- for the demolition of the construction over the property described in the schedule to the writ petition. The properties described in the schedule to the writ petition are three sites (i) bearing No.116/120, Site No.3, khatha No.245/2,



New Municipal No.70, BBMP PID No.84-40-70, (ii) Site No.6, Khata No.386/1, BBMP PID No.84-4-6, (iii) Site No.11, Khata No.245/1, BBMP PID No.84-180-245, all lying within Pilla Reddy Nagar, Chikka Banaswadi, Kalyan Nagar Post, Chikka Banaswadi and Banaswadi Village, K.R.Puram Hobli, Bengaluru South Taluk respectively.

2. The petitioner claims that he purchased the properties described in the schedule in terms of two sale deeds dated 02.03.2023 and 26.03.2024. He contends that he proposed to put up construction after obtaining the requisite plan and sanction from the competent authorities. When the construction was underway, the respondents demolished the construction on the land bearing Sy. No.128 of Banaswadi Village, K.R.Puram Hobli, Bengaluru East Taluk which was acquired by it. Respondent No.1 issued impugned notice dated 13.10.2025 calling upon the petitioner to furnish documents.

3. The petitioner is therefore before this Court challenging the notice issued by respondent No.1 and has also sought for directions as mentioned as stated supra.



4. When this petition is listed for preliminary hearing, a memo is filed by the learned counsel for the petitioner which reads as follows:

"The petitioner above named submit that if the petitioner is granted the opportunity to be considered for the benefit of Section 38D of the BDA Act, then the petitioner would avail the said benefit and an appropriate application under Section 38D filed by the petitioner on 04.05.2026 be considered and appropriate orders be passed on the said application under Section 38D in the interests of justice and equity."

5. In view of the above, this writ petition is **disposed of** directing the petitioner to file an application, if not already filed under Section 38D of the Bengaluru Development Authority Act, 1976, claiming the benefit of the same. If an application is already filed on 04.05.2026, the respondent No.1 shall consider the same in accordance with law, subject, of course, to the limitation prescribed under Section 38D of the BDA Act.

6. This shall be done within a period of three months from the date of receipt of the application. Until then, the



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respondents shall not take any precipitative action in respect of the properties claimed by the petitioner. Likewise, the petitioner shall also not put up any further construction until then.

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

HJ
List No.: 1 Sl No.: 27