



CNR: KAHC010263732026

NC: 2026:KHC:53159
WP No. 12254 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 12254 OF 2026 (EXCISE)

BETWEEN:

GNANA RUBAN
S/O MR. JAYARAJ
AGED ABOUT 49 YEARS,
NO.15/2, WOOD STREET,
ASHOK NAGAR,
BENGALURU - 560 025,

...PETITIONER

(BY SRI. RAGHAVENDRA SWAROOP V., ADVOCATE AND
SRI. SHAJI T. VERGHESE, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP BY THE PRINCIPAL SECRETARY,
EXCISE DEPARTMENT
GOVERNMENT OF KARNATAKA,
VIDHANA SOUDHA,
BENGALURU - 560 001.
2. THE COMMISSIONER,
EXCISE DEPARTMENT
2ND FLOOR, TTMC, A BLOCK,
BMTc BUILDING, SHANTHINAGAR,
BENGALURU - 560 027.



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3. THE DEPUTY COMMISSIONER,
EXCISE DEPARTMENT, BUD-7,
NO.380, ITTINA CENTRE,
2ND FLOOR, 16TH MAIN,
3RD BLOCK, KORAMANGALA,
BENGALURU - 560 034
4. THE DIRECTOR GENERAL AND
INSPECTOR GENERAL OF POLICE
POLICE HEADQUARTERS,
NRUPATHUNGA ROAD, BESIDE RBI,
NUNEGUNDLAPALLI,
AMBEDKAR VEEDHI,
BENGALURU - 560 001.
5. THE COMMISSIONER OF POLICE
BENGALURU CITY INFANTRY ROAD,
BENGALURU-560001.
6. THE COMMISSIONER, (G.B.A) (CENTRAL ZONE)
THE GREATER BENGALURU AUTHORITY,
10TH FLOOR UTILITY BUILDING,
M.G. ROAD,
BENGALURU - 560 001.

...RESPONDENTS

(BY SMT. PRATHIMA HONNAPURA, AAG A/W
SRI. MANJUNATH K., HCGP FOR R1 TO R5
SRI. KARTHIKEYAN B.D. IYER, ADVOCATE FOR R6)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO I. PASS A WRIT OF
MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR



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ANY DIRECTION TO THE RESPONDENT NOS. 1 AND 2 TO
CANCEL THE BAR LICENSE OF LUMARA BAR AND KITCHEN ETC.

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

CORAM: HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

ORAL ORDER

The present writ petition is filed seeking the following
prayer:

***"WHEREFORE, the Petitioner prays that this
Hon'ble court may be pleased to:***

***i. Pass a Writ of Mandamus or any other
appropriate writ, order or any direction to the
Respondent Nos.1 & 2 to cancel the Bar License of
Lumara Bar and Kitchen.***

***ii. To direct the Respondent Nos. 4, 5 & 6 to take
action against the Pothraj Infrastructure and
constructions for conducting illegal activities inside
the church premises.***

***iii. Direct the Respondents to consider and dispose
of the representations annexed herewith as
ANNEXURE-"C" & "F" by passing a reasoned and
speaking order in accordance with law.***



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iv. Declare that the inaction of the Respondents in not considering the representations annexed herewith as ANNEXURE-"C" & "F" are arbitrary in nature.

V. To Grant any such other relief/s as this Hon'ble Court deems fit under the circumstances of the case, in the interest of justice and equity."

2. It is the case of the petitioner that the petitioner is a Christian and an active member of CSI Trinity Church, and that, because he is directly and substantially affected by the respondents' illegal acts and omissions, he has come before this Court.

3. It is stated that a General Power of Attorney was executed in good faith in favor of Rev. Vincent Vinod Kumar, the present Bishop and then the Diocesan Secretary, and Mr. N. D. Solomon Raju, the Diocesan Treasurer, for limited administrative purposes. In breach of the trust reposed and beyond the scope of authority, a lease agreement was entered into between M/s Pothraj Infrastructure and Investment and CSITA Karnataka Central Diocese for the premises situated within Trinity Church. The lessee has illegally and arbitrarily



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converted the premises into a pub and dance bar and is operating the same under the name and style of Lumara Bar and Kitchen, where alcohol is served and dance performances are conducted within the church premises.

4. It is stated that respondent Nos. 1, 2, and 3, as the competent authorities under the Karnataka Excise Act, are responsible for granting a license to the said Lumara Bar and Kitchen. Granting such a license within a place of worship reflects a total non-application of mind, arbitrariness, and abuse of power, and has resulted in continuous violations of religious rights and public order. One of the church members submitted a written representation dated 18.12.2024 to respondent No. 3, bringing to their attention the illegality of the establishment. Despite receipt of this representation, no action has been taken. It is stated that even the BBMP, without considering this aspect, has issued a Trade License. Petitioner has issued a legal notice under Section 80 of the Code of Civil Procedure to respondent Nos. 1, 2, 3, and 4, calling upon them to take immediate action and cancel the license of the said bar. Despite service of the notice, no action has been taken.



5. It is also stated that this issue has been widely reported in print and electronic media. The Church has filed OS.No.407/2025, and an order of temporary injunction was granted, restraining the respondent from running the pub or carrying on any commercial business activities within the Church premises. The said order is binding on all concerned. It is the grievance that, despite this, the respondent authorities have not taken any action. Hence, the petitioner, having no other alternative, is constrained to approach this Court.

6. Learned Additional Advocate General representing the respondents Nos. 1 to 5 submits that, in granting the license, they are governed by the Rules. As per the Rules, the prohibited distance is 100 meters, measured from the middle of the gate of the religious institution, and accordingly they have granted permission. It is submitted that the petitioner has sought prayer to consider and dispose of the representations at Annexures-C and F. It is submitted that they are looking into the issue and, as per her instruction, it is not within the premises. However, they will inspect the premises while



considering the representation. If the same is situated within the premises, they will take appropriate action.

7. Learned counsel appearing for respondent No. 6 submits that they have issued only the Trade License for operating a restaurant, which is consequent upon the license issued by the Excise Department for the said permission. It is further submitted that they will also look into the same.

8. Having heard the learned counsel on either side, perused the material on record. The 100-meter distance and the statement that it is beyond the prohibitory limits will not apply where the license is granted for the bar and license within the premises of the religious institution. According to the petitioner, it is within the church premises, whereas, as per the instructions of the AAG, it is not within the premises. Be that as it may. In light of the representations in Annexures-C and F, the respondents shall inspect the premises and consider the petitioner's representations in accordance with law within 2 weeks from the date of receipt of a copy of the order. In that view of the matter, this Court is passing the following:



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ORDER

- i. Accordingly, the writ petition is ***disposed of***, directing the respondents to consider the representation at Annexure-C and F in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.
- ii. All Pending IAs in this petition shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE

BH
List No.: 1 Sl No.: 1
*MR