



CNR: KAHC010316602026

NC: 2026:KHC:47543
WP No. 14589 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 14589 OF 2026 (GM-BWSSB)

BETWEEN:

1. SRI S M RAVI KUMAR
SON OF LATE V.MUNISWAMAPPA,
AGED ABOUT 62 YEARS,
RESIDING AT NO.371, 1ST FLOOR,
KHB COLONY, 5TH BLOCK,
ORIGINALLY 12TH CROSS,
NOW RE-NAMED THE SAID 12TH CROSS
AS IIND CROSS, KORAMANGALA LAYOUT,
BENGALURU - 560 095.

... PETITIONER

(BY SRI. T N VISWANATHA., ADVOCATE)

AND:

1. THE COMMISSIONER
BENGALURU WATER SUPPLY AND
SEWERAGE BOARD,
KAVERI BHAVAN, K.G. ROAD,
BENGALURU - 560 009.
2. THE ASSISTANT EXECUTIVE ENGINEER,
AE-5 SUB-DIVISION, B.W.S.S.B.
17TH MAIN, 3RD BLOCK,
KORAMANGALA,
BENGALURU - 560 095.
3. SRI S.M. SRINIVAS,
SON OF LATE V. MUNISWAMAPPA,
AGED ABOUT 57 YEARS,
RESIDING AT NO.371, GROUND FLOOR,
KHB COLONY, 5TH BLOCK,
ORIGINALLY 12TH CROSS,

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



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NOW RE-NAMED THE SAID
12TH CROSS AS IIND CROSS,
KORAMANGALA LAYOUT,
BENGALURU - 560 095.

... RESPONDENTS

(BY SRI. K.B. MONESH KUMAR, ADVOCATE FOR R1 AND R2,
V/O DATED 01.06.2026;
SRI FAYAZ SAB B.G., ADVOCATE FOR R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA, PRAYING TO A) QUASHING THE
IMPUGNED LETTER DATED 14.10.2024 BEARING NO. BWSSB AE-
5/NO.1087/2024-25 ISSUED VIDE ANNEXURE-M BY RESPONDENT 2
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 SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the
following reliefs:

- a. *Issue a writ of Certiorari or any other writ, by quashing the impugned letter dated 14.10.2024 bearing No.BWSSB AE-5/No.1087/2024-25 issued vide Annexure-M by Respondent No.2.*
- b. *Issue writ of mandamus or any other appropriate writ or direction directing the Respondents No.1 and 2 to take necessary action for restoring the water connection to the 1st floor portion of the schedule property or in the alternative, direct the Respondents No.1 and 2 to provide temporary connection to the 1st floor premises of the schedule property by installing separate meter to the existing water connection issued by the BWSSB.*



- c. Issue any other appropriate writ or direction as this Hon'ble Court deems fit to grant under the circumstances of the case.*
- d. And this Writ Petition may be allowed with cost, in the interest of justice and equity.*
2. The Petitioner and respondent No.3 are brothers. Respondent No.3 claims that the property bearing House No.371, EWS 5th Block, 12th Cross has been gifted by the father to respondent No.3 and as such respondent No.3 is the exclusive and complete owner of the said property.
 3. The petitioner being the elder brother claims that he is in possession and occupation of the first floor and there is a suit in OS No.1052 of 2022 which has been filed by the petitioner for partition, wherein the gift deed has been challenged.
 4. An earlier water connection has been issued by the BWSSB in the name of Karnataka Housing Board who had developed the layout. Respondent No.3 is now making use of the said connection without providing water to the petitioner requiring the petitioner to store water in drums and use the same, as regards which photographs have been produced at Annexure-H.
 5. Water, electricity and the like are basic amenities which are required and form part of a fundamental



right to life under Article 21 of the Constitution of India. Merely because two brothers are fighting among themselves as regards property, the BWSSB cannot deny a water connection to the petitioner. Of course, any such water connection which is provided to the petitioner will be subject to the rules applicable thereto and the payments required to be made by the petitioner as also will be subject to the result of the suit which is pending between the parties.

6. No litigant can try to use the pendency of the litigation to deprive another of the right to water, electricity etc., as indicated ***supra*** which comes within the purview of Article 21 of the Constitution of India. In that view of the matter, this Court passes the following;

ORDER

- i. The writ petition is ***allowed.***
- ii. A certiorari is issued, the letter dated 14.10.2024 issued by the BWSSB at Annexure-M is hereby quashed.
- iii. BWSSB is directed to issue a fresh connection to the property of the petitioner on the first floor with a separate meter by following a due process.



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- iv. If the petitioner makes an application in the prescribed format in relation thereto and makes payment of the applicable amounts within 15 days of such application being submitted and the payments being made.
- v. It is made clear that the BWSSB shall not insist upon production of any property documents, documents relating to ownership of the property and/or revenue documents pertaining thereto, including Khata, for the purpose of providing such connection, having regard to the peculiar circumstances of the matter.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

SR
List No.: 1 Sl No.: 54