



CNR: KAHC010350452026

NC: 2026:KHC:40449-DB
WA No. 1469 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF AUGUST, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO.1469 OF 2026 (LB-RES)

BETWEEN:

L.A. BELUR (HUF),
REPRESENTED BY CONSTITUENT
AND COPARCENER
SRI. A. L. BELUR,
SON OF L. A. BELUR,
AGED ABOUT 51 YEARS,
SHRI LAKSHMINARASIMHA COMPLEX,
S.J.P. ROAD, K. R. PURAM,
HASSAN - 573 201.

ALSO RESIDING AT 501-502,
KESHAVA C.H.S. LTD.,
BUILDING NO.2, JAYA NAGAR,
LINK ROAD, DAHISAR (E), MUMBAI - 400 053.

...APPELLANT

(BY SRI. H. MUJTABA., ADVOCATE)

AND:

THE COMMISSIONER,
HASSAN CITY MUNICIPAL COUNCIL,
HASSAN - 573 201.

...RESPONDENT

(SERVED AND UNREPRESENTED)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961, READ WITH RULE 26 OF

Digitally
signed by
REKHA R
Location:
High
Court of
Karnataka



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THE WRIT PROCEEDINGS RULES, 1977, PRAYING TO CALL FOR THE ENTIRE RECORDS OF THE WRIT PETITION IN WP NO.33492/2024 AND THE ENTIRE RECORDS IN RP NO.447/2025 ON THE FILE OF THIS HON'BLE COURT SET ASIDE THE ORDER DATED:02.04.2026 PASSED BY THE HONBLE SINGLE JUDGE OF THIS HON'BLE COURT IN REVIEW PETITION NO.447/2025 AND SET ASIDE THE ORDER DATED:29.08.2025 PASSED BY THE HON'BLE SINGLE JUDGE OF THIS HONBLE COURT IN WP NO.33492/2024(LB-RES) AND ETC.,

THIS APPEAL, COMING ON FOR FURTHER CONSIDERATION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present intra-court appeal has been filed impugning the order dated 29.08.2025 passed by the Writ Court in W.P.No.33492/2024.

2. The appellant/petitioner claims to be the owner of property bearing Khata No.5-1-107-4A measuring 612.0270 square meters. He has constructed a commercial building on the said land. It is not in dispute that he has constructed much more than the sanctioned



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building plan. The respondent/Municipality Authority refused to issue him e-khata on the ground that his building is in violation of sanctioned plan.

3. The appellant had filed the Writ Petition with following prayer:

"(i) Call for the records leading to the issuance of the impugned endorsement bearing No.ನಸಹಾ: ಆರೋಗ್ಯ ಶಾಖೆ ಶಾಖೆ /2024-25 dated 26.09.2024 issued by the respondent herein vide Annexure 'A' and after perusal to issue a writ of certiorari, or any appropriate writ, order or direction, quashing the impugned endorsement bearing No.ನಸಹಾ: ಆರೋಗ್ಯ ಶಾಖೆ ಶಾಖೆ /2024-25 dated 26.09.2024 issued by the respondent herein vide Annexure'A';.

(ii) Consequently, issue a writ of mandamus or any appropriate writ, order or direction, directing the respondent to issue trade licences as sought for the petitioner in the applications/representations dated 10.07.2024 and 12.08.2024 vide Annexures 'W' and 'X';

(iii) Issue a writ of mandamus or any appropriate writ, order or direction, directing the respondent to issue fresh e-khatha in favour of the petitioner in respect of the schedule property;

(iv) Issue such other writs, direction and orders as this court deems fit to grant in the facts and circumstances of the case; and; in the interest of justice and equity."

4. The learned Single Judge by the impugned order has issued following directions:



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"(i) Writ petition is disposed of.

(ii) Respondent is hereby directed to consider the request of the petitioner for sanction of E-khata as well as trade licence in respect of that portion of the writ petition schedule property wherein construction has been put-up by the petitioner in accordance with the sanction plan. The same shall be done within a period of two months from the date of receipt of certified copy of this order.

(iii) In respect of other portion which the petitioner is said have constructed in violation of the sanction plan, petitioner is given liberty to seek regularization of the same, in accordance with law, if it is permissible and respondent shall consider the request in accordance with law. If impermissible to regularize then, respondent is at liberty to proceed against the petitioner in the manner known to law."

5. The learned Single Judge could not have directed the Municipal Authorities to give trade licence in respect of the building, which has been admittedly constructed in violation of the sanction plan. However, the learned Single judge has been gracious enough to give liberty to the petitioner/appellant to move an application for regularization of construction, which has been made in violation of the sanctioned building plan in accordance with law. Further, the petitioner/appellant had filed a review petition being aggrieved by the order of Writ Court, which



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also came to be dismissed. Against these two (2) orders, this Writ Appeal is filed.

6. We do not find any error of law or facts, which requires any interference by this Court in the impugned order. The petitioner/appellant could not expect the Court to regularize his unauthorized construction and a direction to the respondent/Municipal Authorities to issue him a trade licence and e-khata in respect of the portion of the building, which he has unauthorizedly constructed. We find no reason to interfere with the impugned order and therefore, the writ appeal is ***dismissed*** being without merits.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

DR
List No.: 1 SI No.: 23
ct-vn