



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 16508 OF 2026 (LB-BMP)

BETWEEN:

M/S PERODY BUILDERS PVT LTD
O/AT NO.883 AND 886,
PERODY CHAMBERS,
4TH FLOOR, VIJAYA BANK LAYOUT,
BILEKAHALLI, BANNERGHATTA ROAD,
BANGALORE-560076.
REPRESENTED BY ITS
MANAGING DIRECTOR
P. RAMAKANTH SHETTY
A COMPANY INCORPORATED
UNDER THE COMPANIES ACT 1956.

...PETITIONER

(BY SRI GIRISH R, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY
PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIKASA SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU-560001.
2. THE COMMISSIONER,
BENGALURU SOUTH

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signed by
VANAMALA N
Location:
HIGH COURT
OF
KARNATAKA



CITY CORPORATION,
GREATER BENGALURU AUTHORITY,
9TH MAIN ROAD, 2ND STAGE,
JAYANAGARA, BENGALURU-560011.

3. JOINT DIRECTOR,
TOWN PLANNING (SOUTH),
BENGALURU SOUTH CITY CORPORATION,
GREATER BENGALURU AUTHORITY,
9TH MAIN ROAD, 2ND STAGE,
JAYANAGARA, BENGALURU-560011.

...RESPONDENTS

(BY SRI. BOPANNA BELLIAPPA., AGA FOR R1;
SRI. PAWAN KUMAR., ADVOCATE A/W
SRI. P. CHIDANANDA., ADVOCATE FOR R2 & R3)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DECLARE THAT THE OCCUPANCY CERTIFICATE IS DEEMED TO BE ISSUED IN VIEW OF SECTION 310(2)(b) OF THE KARNATAKA MUNICIPAL CORPORATIONS ACT, 1976 IN RESPECT OF THE RESIDENTIAL APARTMENT BUILDING CONSTRUCTED ON A PROPERTY NO. 1470/SY.NO. 90, WARD NO. 193, AREKERE VILLAGE, BENGALURU SOUTH TALUK AS PER SANCTION PLAN BEARING NO. BBMP/ ADDL.DIR/ JD.SOUTH/ LP/0149/ 2016-17 VIDE ANNEXURE-D.

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



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

ORAL ORDER

The petitioner [*a private limited company*], asserts right to develop an immovable property in No.1470, [Sy. No.90], Ward No. 193 at Arekere Village, Bengaluru South Taluk, and the petitioner seeks a declaration that it must have the benefit of a deemed Occupancy Certificate as contemplated under Section 310 of the Karnataka Municipal Corporations Act, 1976 [for short, '*the Act*'].

This Court, on 08.06.2026, has called upon Sri Pawan Kumar, a learned standing counsel for the Greater Bengaluru Authority and its Officers to secure instructions, and in response, Sri Pawan Kumar has placed on record a Memo along with the Endorsement dated 05.10.2023. The learned Standing Counsel in continuation submits that if the petitioner produces appropriate documents of clearance from the Karnataka State Fire Services and



certain other documents as mentioned in the Endorsement dated 05.10.2023, the petitioner's request for Occupancy Certificate will be considered subject to levies as permissible in law. Sri Girish R, the learned counsel for the petitioner, submits that most of these documents have already been submitted as annexures appended to the petition and that this Court may pass *just* orders in the light of the afore.

If the Endorsement is issued in October 2023 calling upon the petitioner to produce some documents and if the respondents' records indicate that the petition is pending consideration because the petitioner has not furnished the documents as mentioned in the Endorsement, this Court is of the view that a declaration need not necessarily follow and that the petition must be disposed of with liberty to the petitioner to furnish the documents with the jurisdictional Joint Director [*the third respondent*],



calling upon this Officer to examine these documents and communicate to the petitioner the levies payable, if any, and the decision on the issuance of *Occupancy Certificate*. In the light of the afore, the following.

ORDER

[A] The petition stands disposed of reserving liberty to the petitioner to file additional set of documents as per the Endorsement dated 05.10.2023 with the third respondent along with a certified copy of this Order within two [2] weeks from the date of receipt thereof.

[B] The third respondent is called upon to examine these documents and communicate the levies payable, if any, or the further documents that must be submitted for issuance of the *Occupancy Certificate*.



[C] The third respondent shall communicate the decision to the petitioner within four [4] weeks from the date of receipt of a certified copy of this Order and the documents.

Sd/-
(B M SHYAM PRASAD)
JUDGE

AN/-