HC-KAR

NC: 2026:KHC:28491
WP No. 17041 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 17041 OF 2026 (GM-DRT)

BETWEEN:

SMT. SHANTHI,
W/O, KUPPU SWAMY,
AGED ABOUT 50 YEARS,
R/AT NO.23, 3RD CROSS,
1ST MAIN, VINAYAKA NAGAR,
BENGALURU-560030.

...PETITIONER

(BY SRI. SADANAND G.SHASTRI, ADVOCATE)

AND:

SRI. GURU RAGHAVENDRA
SAHAKARA BANK NIYAMITHA,
REPRESENTED BY ITS
DEPUTY MANAGER/SENIOR ASSISTANT,
LOANS DEPARTMENT,
HAVING PRINCIPAL OFFICE AT,
NO.15, SUBBARAMA CHETTY ROAD,
NETTAKALLAPPA CIRCLE, BASAVANAGUDI,
BENGALURU-560062.

...RESPONDENT

(BY SRI. B.N.YOGENDRA, ADVOCATE FOR C/R)

Digitally signed by GEETHA P G
Location: HIGH COURT OF KARNATAKA

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN RELIEFS.

THIS WRIT PETITION IS LISTED FOR PRELIMINARY HEARING, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Sri.Sadanand G. Shastri, counsel for the petitioner and Sri.B.M.Yogendra , counsel for caveator / respondent appeared in person.

2. This petition is filed seeking following reliefs:

(a) Issue a writ of certiorari or any other appropriate writ, order or direction, setting aside statutory possession notice dated 25.02.2026 issued by the respondent at Annexure-A over the schedule property insofar as petitioner is concerned.

(b) Direct the respondent not to initiate any further proceedings with respect to schedule property including but not limited to an order / direction to the respondent not to interfere with the peaceful possession and enjoyment of schedule property belonging to the petitioner as the owner thereof.

(c) Pass any such order as this Hon'ble Court deems fit under the facts and circumstances of this case in the interest of justice and equity.

3. Counsel for the respective parties urged several contentions. Heard the arguments and perused the papers with care.

4. The petitioner's grievance is about the issuance of the possession notice. The relief sought by the petitioner cannot be granted under writ jurisdiction. The Apex Court has settled the law in a catena of decisions that a possession notice cannot be challenged by filing a writ petition. The petition is devoid of merits. Accordingly, the writ petition is ***dismissed***.

Sd/-
(JYOTI M)
JUDGE

SS
List No.: 1 Sl No.: 3