



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF JULY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO. 21035 OF 2026 (GM-KEB)

BETWEEN:

SMT. KAVITHA MUPPIRI
W/O GOPINATH MUPPIRI,
R/AT NO.46, DESAI GARDEN
VASANTHPURA MAIN ROAD
KANAKAPURA ROAD
BANGALORE-560062.

...PETITIONER

(BY SRI. JAYANTH V., ADVOCATE)

AND:

1. BANGALORE ELECTRICITY SUPPLY COMPANY
LIMITED
(BESCOM) CORPORATE OFFICE,
K.R. CIRCLE, NRUPATHUNGA ROAD
BENGALURU - 560001,
REPRESENTED BY ITS MANAGING DIRECTOR.

2. THE ASSISTANT EXECUTIVE ENGINEER
(ELECTRICAL),
WORKS AND O AND M SUB-DIVISION,
BESCOM, HAROHALLI,
RAMANAGARA DISTRICT - 562112.

...RESPONDENTS

(BY SRI. VINAYAKA V.S., ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA, PRAYING TO QUASHING THE
NOTICE BEARING NO.SAKAE(V)/ HAUUV/ SAAE(TAA)/26-27/



815-17 DATED 03-07-2026 ISSUED BY RESPONDENT NO.2, I.E., ANNEXURE-A AS BEING VIOLATIVE OF ARTICLES 14, 19 (1) (G) AND 21 OF THE CONSTITUTION OF INDIA AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, 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, it is most respectfully prayed that this Hon'ble Court be pleased to:

a) Issue a writ of certiorari or any other writ, order or direction, quashing the notice bearing No.SaKaE(V)/HaUuV/SaEe (Taa)/26-27/815-17 dated 03.07.2026 issued by respondent No.2 i.e., Annexure-A as being violative of Articles 14,19(1)(g) and 21 of the Constitution of India;

b) Pass any other order or grant any other relief as this Hon'ble Court deems fit in the facts and circumstances of the case, in the interest of justice and equity."

2. It is a case of the writ petitioner that the petitioner is the absolute owner and the khatedar of property bearing Khatha No.422/246 measuring 120.19 sq. mtrs., situated at Devarakaggalahalli Village, Cheluru Grama Panchayat, Harohalli Hobli, Ramanagara District. The petitioner has constructed a building on the scheduled property. For the purpose of securing



an electricity connection to the said building, the petitioner applied to the Cheluru Grama Panchayat, which has issued a No Objection Certificate dated 22.05.2024 stating that the Grama Panchayath has no objection whatsoever to BESCOM releasing an electricity connection to the said building. Acting upon the said NOC, and after due verification, respondent No.1 sanctioned and released electricity connection to the scheduled property, which has been in the name of, and used by the petitioner. The petitioner is currently running a PG with over 50 female students being residents of the scheduled property. The petitioner was served with a notice dated 04.08.2025 by the Cheluru Grama Panchayat alleging unauthorized construction and asking her to furnish documents in answer to the said allegation. The petitioner furnished all the necessary documents to the said Grama Panchayat vide letter dated 12.08.2025. There has been no further communication on the said reply letter dated 12.08.2025 issued by the Grama Panchayat. While this being so, respondent No.2 issued the impugned notice dated 03.07.2026 calling upon the petitioner to submit documents/clarification to Grama Panchayat within 7 days from the date of the notice and obtain NOC from the said Grama



Panchayat and furnish the same to respondent No.2, failing which the electricity connection to the petitioner premises would be disconnected. Based on a communication by the Grama Panchayat, it is stated that the petitioner has already issued a response dated 07.07.2026 to the BESCO and furnished all the relevant documents to the Grama Panchayat on 07.07.2026, and the Grama Panchayat is yet to give endorsement.

3. Learned counsel appearing on behalf of the petitioner submits that the order passed by BESCO is without jurisdiction. It is submitted that if the petitioner has committed any violation as per the BESCO regulations, BESCO can take action against the petitioner. With regard to the permission granted by the panchayat, the panchayat will take appropriate action. In that, the BESCO authorities have nothing to do with the same. It is submitted that the notice that is issued is without jurisdiction and the same has to be set aside. It is further submitted that a Co-ordinate Bench of this Court in the case of ***Sri Nagabhushana Vs. Chief Executive Engineer and Ors*** arising out of ***W.P.No.17679/2024 C/w***



W.P.No.26870/2023 dated 26.02.2026. He relied on paragraph Nos.25.7 and 25.9, which read as follows:

"25.7. On the first aspect, the notice dated 02.02.2024 appears to have been issued primarily on the basis of the cancellation of the khata by the BBMP. The BESCO authorities are not the authority competent to determine the legality or illegality of constructions. Their action of proposing disconnection was triggered by and was consequential to the BBMP's cancellation order. Since this Court has already held that the cancellation order dated 06.03.2023 is without jurisdiction and is liable to be set aside, the foundation upon which the BESCO notice rests falls away. A consequential action cannot survive when the primary action upon which it is based is found to be illegal and without jurisdiction.

25.9. As regards the reliance placed by respondent No.4 on the directions of the Hon'ble Apex Court in the case of Rajendra Kumar Barjatya, this Court has already observed under Point No. (iv) that the said directions are primarily prospective in nature. Direction (iv) thereof states that service connections shall be given to buildings only after the production of the completion/occupation certificate. The key



word is "shall be given", which indicates a prospective application. It applies to new connections to be granted in future, not to existing connections that have been operational for years. The said direction cannot be read as mandating the disconnection of existing connections that were lawfully provided at the time they were granted."

4. Relying on this, learned counsel submits the writ petition has to be allowed by setting aside the notice issued by the respondents.

5. Learned counsel appearing on behalf of the respondents, on instructions, submits that, based on the communication received from the Panchayat, they issued a notice. In the notice, they have not indicated any coercive steps to be taken. It is submitted that they have not stated anything about coercive steps. It is further submitted that they have only stated that they have to approach the Panchayat Authorities. In case they fail to do so, they will take appropriate action. Learned counsel submits that the petitioner, without approaching the Panchayat Authorities, has come before this court and that the writ petition is liable to be dismissed. The



Hon'ble Apex Court had issued directions that all necessary service connections, including electricity, water supply and sewage, shall be given by the service provider only after the production or completion of the occupancy certificate. In those circumstances, whenever there is any failure on the part of the parties in violation of the permission, and in other cases, BESCOM is issuing the notice.

6. Having heard the learned counsels on either side, perused the material on record, the following is the position. For giving a connection, for disconnection, or for what is the procedure to be followed, the BESCOM is bound by the conditions of supply of electricity in the distribution licences of the State of Karnataka. As specified by the regulations, the BESCOM will conduct its business. It is the responsibility of the local authority concerning the permissions for construction, and if there is any violation, a process is contemplated under the respective Acts. The submission of the counsel for the respondent that because the panchayat has issued a notice and the petitioner has not responded, hence they have given a reminder, cannot be appreciated, and such an action on the part of the respondents is without any jurisdiction. They



absolutely have no business to deal with these kinds of affairs, and that is exclusively pertaining to the local authorities, and it will be taken care of by them.

7. Learned counsel for the petitioners relied on the judgment of the Co-ordinate Bench of this Court in ***Sri Nagabhushana*** case referred to supra, wherein the Co-ordinate Bench of this Court also considered the judgment of the Apex Court at paragraph No.25.9, clearly observed that the word 'shall' used in the said judgment is only prospective application. It applies to new connections to be granted in future, not to the existing connections. In the light of the above, the respondents have no jurisdiction and authority to interfere in these kinds of issues pertaining to the local authorities. Further, this Court is coming across several matters wherein these kinds of notices are issued by the BESCOM wherever there are disputes between the local authorities and the parties. It is made clear that, in the light of the order in ***Sri Nagabhushana*** case referred to supra, even with regard to the Supreme Court judgment, the BESCOM authorities are bound to follow the same. Hereafter, if this Court comes across any cases where these kinds of notices are issued and parties



are made to rush to this Court, the Court would pass appropriate orders. In that view of the matter, this Court is passing the following:

ORDER.

- i. Accordingly, the notice dated 03.07.2026 is set aside and the writ petition is ***allowed.***
- ii. Pending IAs., if any, shall stand closed.

SD/-
(LALITHA KANNEGANTI)
JUDGE