



CNR: KAHC010478012025

NC: 2026:KHC:42424
WP No. 21792 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 21792 OF 2025 (BDA)

BETWEEN:

1. SRI. HONNAPPA
S/O LATE HONNAPPA
AGED ABOUT 72 YEARS,
2. SRI. H VENKATESH
S/O HONNAPPA
AGED ABOUT 43 YEARS,
3. SRI. H NAGARAJU
S/O HONNAPPA
AGED ABOUT 38 YEARS,
4. SRI. H LOKESH
S/O HONNAPPA
AGED ABOUT 36 YEARS,
5. SRI. H VAJRAMUNI
S/O HONNAPPA
AGED ABOUT 36 YEARS,
ALL ARE R/AT: NO. 64/6
LINGADEERANAHALLI VILLAGE,
NEAR RAGHAVENDRA MUTT
BANASHANKARI 6TH STAGE,
4TH BLOCK,
THALAGHATTAPURA POST,
BENGALURU-560 062

Digitally
signed by
HEMALATHA J
Location:
HIGH COURT
OF
KARNATAKA

...PETITIONERS

(BY SRI. CHANDRACHUD A., ADVOCATE)

AND:



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1. THE COMMISSIONER
BANGALORE DEVELOPMENT AUTHORITY,
KUMARA PARK WEST,
T. CHOWDAIAH ROAD,
BANGALORE-560 020

2. THE ASSISTANT EXECUTIVE ENGINEER
NO.3, SOUTH SUB DIVISION,
BANGALORE DEVELOPMENT AUTHORITY
BANASHANKARI 2ND STAGE,
BENGALURU-560 070.

...RESPONDENTS

(BY SRI.DHYAN CHINNAPPA, SENIOR COUNSEL FOR
SRI.GOWTHAMDEV C.ULLAL, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT TO CONSIDER THE REPRESENTATION FILED BY THE PETITIONER DATED 22.08.2024 U/S 38 (D) OF THE BDA ACT AS PER ANNEXURE-G FOR RECONVEYANCE OF THE PROPERTY BEARING NO.6, BBMP KHATHA NO.948/64/6 (OLD NO.64/6) FORMED IN SY.NO.6 OF LINGADHEERANAHALLI VILLAGE, HEMMIGEPURA GRAM PANCHAYATH, KENGERI HOBLI, BENGALURU SOUTH TALUK MEASURING EAST TO WEST 60FT AND NORTH TO SOUTH 60FT TOTALLY MEASURING 3600 SQ.FT CONSISTING OF AC SHEET HOUSE, COW SHED, NOW COMES WITHIN THE HEMMIGEPURA BBMP WARD AS PER THE REPORT SUBMITTED BY ASSISTANT EXECUTIVE ENGINEER, SL NO.1 FILE NO.136361 DATED 18.10.2019 AS PER ANNEXURE-H AND ETC.

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

CORAM: HON'BLE MR. JUSTICE R. NATARAJ



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ORAL ORDER

The petitioners have sought for a writ in the nature of mandamus to direct the respondent No.1 to consider the representation dated 22.08.2024 under Section 38-D of the Bangalore Development Act, 1976 (henceforth referred to as 'the BDA Act') for regularization of occupation of the property bearing No.6, BBMP Khatha No.948/64/6 (old No.64/6) formed in Sy.No.6 of Lingadheeranahalli Village, Hemmigepura Gram Panchayath, Kengeri Hobli, Bengaluru South Taluk, measuring east to west: 60 feet and North to South: 60 feet as per the report of the Assistant Executive Engineer in file No.136361 dated 18.10.2019 and as per the report submitted by the Revenue Surveyor dated 04.06.2025 and also as per the report submitted by BMTF vide A.D.G.P./B.M.T.F/Petition/336/2023 dated 08.06.2023.

2. When this petition was listed for hearing on interlocutory application, a memo is filed by the learned counsel for the petitioner, which reads as follows:



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"MEMO FOR WITHDRAWAL FILED BY THE PETITIONER

The petitioners have filed the above writ petition with primary prayer;

"Issue a writ in the nature of mandamus directing the Respondent to consider the representation filed by the Petitioner dated 22/08/2024 under section 38 (d) of the BDA Act for a total extent of around 3600 sq. ft. along with other consequential reliefs".

- 1. This Hon'ble Court vide order dated 22/07/2025 directed the Respondent not to precipitate the matter, qua the possession of the petitioners, if the petitioners are in possession as on today.*
- 2. During the pendency of the present writ petition the Respondents filed an application seeking vacating of the Interim order which came to be numbered as I.A. No.1/2025.*
- 3. During the pendency of the above writ petition, the petitioner No.1 has filed W.P. No.13639/2026 before this Hon'ble Court by way of comprehensive writ petition with respect to the entire extent of 01-00*



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*acre of land situated at Lingadheeranahalli Village,
Kengeri Hobli, Bengaluru South Taluk.*

- 4. This Hon'ble Court vide order dated 29/04/2026 in W.P.No.13639/2026 has granted an interim protection to the petitioner therein, directing both sides to maintain status-quo, which is regularly and timely extended.*
- 5. The petitioners during the pendency of the above stated writ petitions are seeking the leave of this Hon'ble Court to withdraw the present writ petition i.e. W.P. No. 21792/2025 filed by the petitioners herein, to continue and prosecute the comprehensive writ petition bearing No.13639/2026 filed by the petitioner No.1 herein, pending before this Hon'ble Court.*
- 6. This Hon'ble Court at the instance of the parties has clubbed both the above writ petitions and the Hon'ble Court considering the application filed by the respondent BDA in this Writ Petition seeking vacating of the interim order dated 22/07/2025 has disposed*



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of the said application thereby the interim order granted earlier is continued.

- 7. After the application seeking vacating of the interim order in this Writ petition was disposed of and both the supra stated writ petitions being clubbed and this Hon'ble Court during the course of the above proceedings, has directed the officials of the Bengaluru Development Authority to conduct survey and submit report with regard to the extent of the area of land in possession and the residential living in the said area of land is utilised, for which the officials of BDA have conducted survey on 31/07/2026 and have submitted a report to this Hon'ble Court on 05/08/2026.*
- 8. In the report submitted by the officials of BDA, it clearly depicts that the total plot in occupation with the petitioners is 3459.69 sq. ft.*
- 9. In view of the report dated 05/08/2026 filed by the officials of Bengaluru Development Authority in W.P. No.13639/2026, the petitioners in the above writ petition seek the leave of this Hon'ble Court to*



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withdraw the above writ petition, praying for a protective order against the Respondent Bengaluru Development Authority by not dispossessing the petitioners or by acting contrary to the interest of petitioner by trying to demolish the existing structures, till their prayer and consideration of the writ petition bearing No.13639/2026 is considered and decided by this Hon'ble Court on merits, in the interest of justice, equity and fair-play."

3. In view of the fact that the petitioners have already filed W.P.No.13639/2026, this petition is ***dismissed as withdrawn***. All contentions urged in this petition is kept open to be considered in W.P.No.13639/2026.

4. In view of the disposal of the writ petition, all pending applications, if any, stand disposed of.

**Sd/-
(R. NATARAJ)
JUDGE**

BKN
List No.: 1 Sl No.: 7