



CNR: KAHC010483372026

NC: 2026:KHC:37133
WP No. 21797 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 21797 OF 2026 (BDA)

BETWEEN:

M.V. SRINIVASA MURTHY
S/O. LATE M.V. VENKATARAMAIAH
AGED 76 YEARS
R/AT. NO.1358/M, KABIR ROAD
4TH CROSS, MANDI MOHALLA
MYSORE-570 021
REPRESENTED BY HIS GPA HOLDER
Y.H. KRISHNA
S/O. LATE HANUMAPPA REDDY
R/AT. NO.28/1, 3RD CROSS,
YEDIYUR, JAYANAGAR
BANGALORE- 560 070

...PETITIONER

(BY SRI. ALEEM ATIG, ADVOCATE FOR
SRI. KARUMBIAIAH T.A., ADVOCATE)

AND:

1. THE BENGALURU DEVELOPMENT AUTHORITY
T. CHOWDAIAH ROAD
KUMARA PARK WEST
BENGALURU-560020
BY ITS COMMISSIONER
2. THE DEPUTY SECRETARY-2
THE BENGALURU DEVELOPMENT AUTHORITY,
T.CHOWDAIAH ROAD
KUMARA PARK WEST
BENGALURU-560020

...RESPONDENTS

(BY SRI. MURUGESH V. CHARATI, ADVOCATE)

Digitally signed
by
HEMALATHA J
Location:
HIGH COURT
OF
KARNATAKA



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THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS TO ALLOT ALTERNATIVE SITES MEASURING 40 x 60 FEET IN BANASHANKARI I STAGE WITHIN THE SPECIFIED PERIOD AND ETC.

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

CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioner has sought for a writ in the nature of mandamus to direct the respondents to allot alternate site measuring 40' x 60' in Banashankari 1st Stage by considering his representations dated 11.01.2021 and 12.06.2026.

2. (i) The petitioner claims that his father was the owner of sites bearing Nos.114 and 115 formed in Sy.No.33 of Gavipuram Village, Kasaba Hobli, Bengaluru District, which were acquired by the erstwhile City Improvement Trust Board (for short 'CITB') for formation of Banashankari layout in the year 1966. An award was passed in the year 1969. The petitioner claims that during the years 1964, 1965 and 1966, several similarly placed owners had filed writ petitions seeking re-allotment/re-conveyance of their acquired sites. Likewise,



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his father had filed W.P.No.393/1965 for allotment of an alternate site. In the said writ petition, the erstwhile CITB filed a memo that they will consider the request of the father of the petitioner. The writ petition was therefore disposed off in terms of a common order dated 06.07.1966.

(ii) The petitioner claims that his father died on 21.04.1999. Since the alternate sites were not given, the petitioner submitted a representation to respondent No.2 on 11.01.2021 requesting allotment of Site Nos.362 and 3047, which were vacant. Petitioner claims that despite that, the respondents did not take any action, which compelled him to file one more representation dated 12.06.2026, which too did not evoke any response.

(iii) The petitioner is therefore before this Court seeking for a direction to the respondents to consider his representations dated 11.01.2021 and 12.06.2026 and pass appropriate orders.

3. The learned counsel for the petitioner reiterated the above contentions and submitted the petitioner has been waiting endlessly for allotment of an alternate site and that site



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Nos.362 and 3047 are vacant and there is no impediment to allot the said sites to the petitioner.

4. The learned counsel for the respondents on the other hand submitted that the petition is hopelessly barred by delay and laches as the petitioner has not taken any action from the year 1965 till date and therefore, no indulgence can be shown. Even otherwise, he contends that there was no direction in W.P.No.393/1965 to allot an alternate site to the father of the petitioner and therefore, the petitioner cannot piggy ride on the order passed in W.P.No.393/1965 to contend that he is entitled for allotment of an alternate site.

5. I have considered the submissions of the learned counsel for the petitioner as well as the learned counsel for the respondents.

6. The petitioner though claims in the writ petition that his father had filed W.P.No.393/1965 seeking allotment of an alternate site, which was disposed off based on a memo filed by the learned counsel for the CITB that the request of the petitioners therein would be considered. There is no order



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passed in W.P.No.393/1965 directing allotment of an alternate site to the father of the petitioner. As rightly contended by the respondents, neither the father of the petitioner nor the petitioner have taken any action from the year 1965 till date but the petitioner has sprung up and filed representations on 11.01.2021 and 12.06.2026 seeking allotment of an alternate site. In that view of the matter, no indulgence can be shown to the petitioner at this point in time.

7. Hence, this petition is ***dismissed***.

8. Sri. Murugesh V. Charati, learned counsel for the respondents is permitted to file memo of appearance within ten days.

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

PMR
List No.: 1 SI No.: 65