



CNR: KAHC010487012026

NC: 2026:KHC:40628
WP No. 22150 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 22150 OF 2026 (GM-SLUM)

BETWEEN:

SMT.JAYALAKSHMI.K.P,
W/O PRABHURAJ,
AGED ABOUT 62 YEARS,
RESIDING AT NO.135,
OLD MADRAS ROAD,
100 FEET ROAD,
NEW BINNAMANGALA,
BENGALURU NORTH,
BENGALURU - 560 038.

...PETITIONER

(BY SRI. B.CHANDRA KIRAN, ADVOCATE FOR
SRI. BHAKTAVACHALA., ADVOCATE)

AND:

1. DEPUTY COMMISSIONER,
BANGALORE DISTRICT,
KANDAYA BHAVAN, K. G. ROAD,
BANGALORE - 560 009.
2. KARNATAKA SLUM CLEARANCE BOARD,
RISILDAR STREET,
PLATFORM ROAD,
BENGALURU - 560 021.
3. M.R. RAVIKUMAR,
S/O. LATE MUNIRAJU,

Digitally signed
by SHWETHA
RAGHAVENDRA

Location: HIGH
COURT OF
KARNATAKA



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AGED ABOUT MAJOR YEARS,
RESIDING AT NO.19/3,
NEW BINNAMANGALA,
OLD MADRAS ROAD,
INDIRANAGAR 1ST STAGE,
BANGALORE - 560 038.

4. M.R. CHANDRASHEKAR,
S/O. LATE MUNIRAJU,
AGED ABOUT MAJOR YEARS,
RESIDING AT NO.19/3,
NEW BINNAMANGALA,
OLD MADRAS ROAD,
INDIRANAGAR 1ST STAGE,
BANGALORE - 560 038.

5. M.R. MURALIDHAR,
S/O. LATE MUNIRAJU,
AGED ABOUT MAJOR YEARS,
RESIDING AT NO.19/3,
NEW BINNAMANGALA,
OLD MADRAS ROAD,
INDIRANAGAR 1ST STAGE,
BANGALORE - 560 038.

...RESPONDENTS

(BY SRI.SHAMANT NAIK, AGA FOR R1;
SRI.H.L.PRADEEP KUMAR, ADVOCATE FOR R2;
NOTICE TO R3 TO R5 ARE DISPENSED WITH VIDE ORDER
DATED)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO WHEREFORE IT IS
PRAYED THAT THIS HON'BLE COURT MAY KINDLY BE PLEASED
TO CALL FOR THE RECORDS FROM THE AUTHORITIES BELOW,
SET ASIDE THE ORDERS OF THE DEPUTY COMMISSIONER,
DEPUTY COMMISSIONER, BANGALORE DISTRICT, KANDAYA



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BHAVAN, K. G. ROAD IN CASE NO. KSA/CR/12/91-92 DATED 05/06/2026, AS PER ANNEXURES O, AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Learned AGA accepts notice for respondent No.1.
2. Sri. H L Pradeep Kumar, learned counsel accepts notice for respondent No.2.
3. Notice to respondent Nos.3 to 5 is dispensed with, in view of proposed order to be passed.
4. The petitioner is before this court seeking for the following relief:

"WHEREFORE it is prayed that this Hon'ble Court may kindly be pleased to call for the records from the authorities below, set aside the Orders of the Deputy Commissioner, Deputy Commissioner, Bangalore District, Kandaya Bhavan, K.G.Road in case No.KSA/CR/12/91-92; dated 05/06/2026, as per Annexure O, and direct the authorities below, the Respondents-1 to declare the petitioner and her family members as per the Will dated 28.01.1947 at Annexure-G also the owners in respect of entire extent of land measuring 11 guntas in Sy.No.136 and 6 guntas in Sy.No.137, and grant such other deemed fit to grant,



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including costs, in favour of the petitioner, in the interest of justice and equity."

5. The Property in Sy.No.136 measuring 11 guntas and Sy.No.137 measuring 6 guntas of land in New Binnamangala Village, Indiranagar,, Bengaluru, were declared as slum and Notification had been issued under Karnataka Slum Areas (Improvement and Clearance) Act, 1973, (hereinafter for brevity, '*Slum Act*') under Section 3(1). The same came to be challenged by certain persons in W.P.No.35296/2014 contending that the said land was not a slum and would not come within the purview of the Slum Act.
6. A Co-ordinate Bench of this Court on 08.08.2024 in W.P.No.35296/2014, taking note of the submission of the Additional Advocate General, directed the Deputy Commissioner to redo the exercise of hearing of the petitioners insofar as the Notification under Section 3(1) of the Slum Act is concerned, to



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determine whether the land was vacant land and whether the same would apply thereto or not.

7. When the Deputy Commissioner had taken up the matter for enquiry, the petitioner had filed an application for being impleaded in the said proceedings claiming that the petitioner is the owner of the lands *supra*, deriving title and a Will said to be executed in favour of the petitioner. The Deputy Commissioner, upon enquiry as regards the status of the land, came to a conclusion that the said land could not have been declared to be a slum under Subsection (1) of Section 3 of the Slum Act, but, for the purpose of passing the said order, recognized the petitioners as owners of the said property. The petitioner is before this Court contending that the Deputy Commissioner has declared the petitioners therein to be the owners of the land, which he could not do.



8. On enquiry as to whether any other proceedings are pending, learned counsel for the petitioner submitted that there is a proceeding in RFA No.1007/2013 which is pending.
9. The enquiry which had been conducted by the Deputy Commissioner was in furtherance of the order passed in W.P.No.35296/2014 only to ascertain the status of the land and whether the Slum Act would be applicable thereto.
10. The objections having been raised by the petitioners in W.P.No.35296/2014 that the Slum Act would not be applicable to the said land. It is considering those objections that the Deputy Commissioner has held that the Final Notification dated 28.01.2014 with respect to the aforesaid land would be inoperative and that the Slum Act would not be applicable to the said land.



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11. The consideration of the objections raised by the petitioners in W.P.No.35296/2014 is only for the purpose of determining whether the Slum Act would apply or not and not for declaration of title of the petitioners in respect of the said land. The Deputy Commissioner obviously not having any power of grant of such declaration.
12. In that view of the matter, the apprehension on the part of the petitioner is completely unfounded. The determination of title of the property would have to be done by the first appellate Court in RFA No.1007/2013.
13. The consideration made by the Deputy Commissioner was only for the purpose of ascertaining whether the Slum Act would be applicable or not and not to determine the title of the petitioners in W.P.No.35296/2014 or the petitioner in the present matter.



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14. Reserving liberty to the petitioner to agitate all issues in the pending RFA No.1007/2013, petition stands ***dismissed.***

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

BSV
List No.: 1 Sl No.: 23