



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 23488 OF 2023 (LB-RES)

BETWEEN:

1. BOHRA HOSPITAL HOUSING
EDUCATIONAL CULTURAL SOCIAL
CHARITABLE TRUST
A REGISTERED TRUST,
OFFICE AT NO. 126, BANNIMANTAPA
C LAYOUT, MYSURU - 570 015
REPRESENTED BY ITS PRESIDENT AND
MANAGING TRUSTEE,
MR. NOORUDDIN JOHAR.
INDIAN TRUST ACT, 1882

... PETITIONER

(BY SRI. VAISHAK, ADVOCATE FOR
SRI BHARGAVA D BHAT., ADVOCATE)

AND:

1. MYSORE URBAN DEVELOPMENT AUTHORITY
JANSI LAKSHMI BAI ROAD,
MYSURU - 570 001
REPRESENTED BY ITS COMMISSIONER.
2. DEPARTMENT OF PUBLIC LIBRARIES
4TH FLOOR, VISHVESHWARIAH MAIN TOWER,
DR B R AMBEDKAR VEEDHI,
BANGALORE - 560 001
REPRESENTED BY ITS DIRECTOR.

... RESPONDENTS

(BY SRI. VIVEKANANDA T P., ADVOCATE FOR R1;
SRI SHAMANTH NAIK, HCGP FOR R2)

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ORDER DTD 23.04.2021 (OVER-WRITTEN ON THE ACTUAL DATE OF 16.04.2021) BEARING NO.ಸಂಖ್ಯೆ/ಮೈಸಪ್ಪಾ/ನಾಸಾನ/ಗ್ರಂಥಾಲಯ/2021-22 PASSED BY THE R1 ANNEXURE-A AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs:

- a) *Issue a Writ of certiorari quashing the Order dated 23.04.2021 (over-written on the actual date of 16.04.2021) bearing No.ಸಂಖ್ಯೆ/ಮೈಸಪ್ಪಾ/ನಾಸಾನ/ಗ್ರಂಥಾಲಯ/2021-22 passed by the Respondent No.1 (**Annexure-A**).*
- b) *Pass any other as the Court may deem fit in the interest of justice.*

2. The facts in the present matter are identical to that in WP.No.21108/2e021 which has been disposed today i.e., on 02.07.2026.

3. Only additional aspect in the present matter is the carving out of a separate site No.CA-3A to an extent of 556.31 square meters from and out of the site allotted to the petitioner in the year 1999, which is claimed to be allotted to one Sri Syed Ishak. It is in that background that the petitioner has challenged



the said allotment contending that the said property, having been allotted to the petitioner could not have been allotted to Sayed Ishak.

4. A perusal of the papers would indicate that there is no allotment which has been made to Sayed Ishak but has been made to the Department of Public Libraries and a Public Library has already been established in the said site No.CA-3A measuring 556.31 square meters.
5. Though the petitioner has succeeded in WP.No.21108/2021, the fact, however, remains that the petitioner, who has an allotment made in the year 1999, approached this Court in the year 2021 in respect of WP.No.21108/2021 and the allotment to the public libraries has been made on 23.04.2021 which has been challenged in WP.No.23488/2023.
6. A public library having been established by respondent No.2-Department of Public Libraries and the said library being available for use to the general public, public money having been spent on the said establishment of a public library, this Court is of the considered opinion that the said allotment cannot be cancelled. This also being for the reason that the petitioner intends to establish an educational



institution. The educational institution and the students could also make use of the public library for their own benefit. This allotment would stand to the benefit of the students of the petitioner and the general public. Hence, this Court does not find any grounds to quash the allotment made to respondent No.2. It is, however, made clear that the said property shall always be used only for a public library and not be put for any other purpose.

7. With the above observations, the petition stands **disposed.**

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

KTY
List No.: 2 Sl No.: 4