



CNR: KAHC010554462026

NC: 2026:KHC:51878
WP No. 25011 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 25011 OF 2026 (GM-POLICE)

BETWEEN:

1. DTWELVE ACCOMODATIONS PRIVATE LIMITED
A COMPANY INCORPORATED
UNDER THE COMPANIES ACT, 2013,
BEARING CIN NO. U55900DL2025PTC440780,
HAVING ITS REGISTERED
OFFICE AT CABIN NO. 1,
FLAT NO. 403, ASHOK BHAWAN 93,
NEHRU PLACE, NEW DELHI AND
ITS CORPORATE OFFICE AT 14TH FLOOR,
STANZA LIVING, GOOD EARTH
TRADE TOWER, SECTOR 62,
GURUGRAM 122011, HARYANA.

...PETITIONER

(BY SRI. ASHOKA T.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
THROUGH ITS ADDITIONAL
CHIEF SECRETARY, HOME DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU 560 001.
2. COMMISSIONER BENGALURU
CITY OF POLICE,
OFFICE OF THE COMMISSIONER OF POLICE,
INFANTRY ROAD,
BENGALURU 560 001
3. DEPUTY COMMISSIONER OF
POLICE (NORTH-EAST),
BENGALURU CITY





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DCP NORTH-EAST OFFICE,
ALLALASANDRA, YELAHANKA,
BENGALURU, KARNATAKA 560 065

4. STATION HOUSE OFFICER (PI),
YELAHANKA NEW TOWN POLICE STATION
YELAHANKA POLICE STATION,
YELAHANKA, BENGALURU 560 064
5. N. SHIVANANDA
S/O LATE NARAYANAPPA,
RESIDING AT NO. 15, SAI NILAYA,
2ND MAIN, 3RD CROSS,
3RD BLOCK, DOLLARS COLONY,
NEAR RMV CLUB,
BENGALURU - 560 094.

...RESPONDENTS
(BY SRI. MOHAMMED JAFFAR SHAH, AGA FOR R1 TO R4)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA R/W SECTION 538 OF THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023 PRAYING TO DIRECTING RESPONDENT NOS. 2 TO 4 TO FORTHWITH REGISTER A FIRST INFORMATION REPORT ON THE BASIS OF THE PETITIONERS COMPLAINTS DATED 30-07-2026 ANNEX-R AND 31-07-2026 ANNEX-S IN ACCORDANCE WITH AC LAW, AND TO CONDUCT A FAIR, IMPARTIAL AND TIME-BOUND INVESTIGATION INTO THE OFFENCES DISCLOSED THEREIN.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA



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ORAL ORDER

1. The present writ petition is filed seeking for the following reliefs:

"A. Issue a Writ of Mandamus, or a writ, order or direction in the nature thereof, directing Respondent Nos. 2 to 4 to forthwith register a First Information Report on the basis of the Petitioner's Annexure R complaints dated 30-07-2026 Annexure - R and 31-07-2026 Annexure-S, in accordance with law, and to conduct a fair, impartial and time-bound investigation into the offences disclosed therein;

B. Issue a Writ of Mandamus, or a writ, order or direction in the nature thereof, directing Respondent Nos. 2 to 4 to forthwith discharge their statutory duties by taking immediate and effective preventive measures for maintenance of law and order, protecting the Petitioner's peaceful, lawful and continuous possession, use and enjoyment of Vernon House, and ensuring that no person interferes with the Petitioner's lawful occupation and business operations except through due process of law;

C. Issue a Writ of Mandamus, or a writ, order or direction in the nature thereof, directing Respondent Nos. 1 to 4 to provide adequate, effective and continuing police protection to the Petitioner, its employees, operational staff and the residents of Vernon House, including students residing therein, so as to ensure their safety, security and peaceful occupation without intimidation, coercion or unlawful interference, until such time as the threat of unlawful interference and forcible dispossession subsists;

D. Issue an appropriate writ, order or direction under Article 226 of the Constitution of India directing Respondent Nos. 2 to 4 to ensure that Respondent No. 5, his agents, representatives, associates and any person acting through or under him do not unlawfully enter upon, interfere with, obstruct or disrupt the Petitioner's peaceful, lawful and continuous possession, use and enjoyment of Vernon House or its business operations,

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and further restraining Respondent No. 5, his agents, representatives, associates and all persons claiming through or under him from forcibly dispossessing the Petitioner or otherwise interfering with its lawful possession except through due process of law and pursuant to orders passed by a competent court;

E. Issue a Writ of Mandamus, or a writ, order or direction in the nature thereof, directing Respondent Nos. 2 to 4 not to assist, facilitate, encourage or otherwise support Respondent No. 5, his agents, representatives, associates or any person acting on his behalf in interfering with the Petitioner's peaceful possession, business operations or occupation of Vernon House, except in accordance with law and pursuant to lawful orders passed by a competent court;

F. Issue a Writ of Mandamus, or a writ, order or direction in the nature thereof, directing Respondent Nos. 2 to 4 to ensure that the CCTV surveillance system, security infrastructure and all electronic evidence relating to the incidents complained of are protected from tampering and preserved in accordance with law;

G. Pending disposal of the present Writ Petition, pass an ad interim/interim order directing Respondent Nos. 1 to 4 to immediately register an FIR on the basis of the Petitioner's complaints dated 30-07-2026 and 31-07-2026, provide effective police protection to the Petitioner, its employees and residents at Vernon House, ensure that the Petitioner's peaceful possession and business operations are not disturbed otherwise than by due process of law, and restrain Respondent No. 5 and all persons acting on his behalf from interfering with the Petitioner's peaceful possession pending disposal of the present Writ Petition;

H. Pass such other and further writ(s), order(s) or direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case, in the interest of justice."

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2. The genesis of the case of the petitioner is that a group company of the petitioner has entered into an Agreement of Lease dated 03.04.2022 (Annexure-B to the writ petition) with respondent No.5 for taking on lease an extent of 4,000 sq.ft together with a multistoried residential building of 79 rooms known as 'Vernon House' situated at No.17 carved out of Sy.No.14, Khata No.14/17, Kattigenahalli Village, Jala Hobli, Bengaluru North Taluk, presently within the limits of BBMP Ward No.5, Jakkur Bengaluru¹. That the group company of the petitioner also entered into an registered Lease Deed dated 14.09.2022 (Annexure - C to the writ petition) in respect of the subject property for a period of nine years on a monthly rent of Rs.7,00,000/- (Rupees seven lakh only) which was to be increased with appropriate escalation clause. A dispute between the parties to the lease arose and respondent No.5 vide notice dated 02.08.2024 (Annexure-H to the writ petition) alleging default in payment of rent, terminated the lease. Subsequently, the petitioner has stated to have filed Com O.S. No.340/2026. However, a copy of the plaint is not produced.

¹ hereinafter referred to as 'subject property'



3. The respondents No.5 has filed statement of objections contending, *inter alia* that he has already been in possession of the property. The petitioner alleges forcible dispossession of the property in question. The petitioner has hence, filed the present petition seeking for various reliefs.

4. It is clear from the aforementioned that the petitioner has already initiated Com O.S. No.340/2026. The respondent No.5 along with statement of objections has filed a copy of the order sheet in Com O.S. No.340/2026, which clearly indicate that the petitioner has now prosecuted the said Com O.S. No.340/2026 and the same is pending consideration before the Commercial Court.

5. This Court vide Order dated 11.08.2026 ordered as under:

"1. Learned Additional Government Advocate accepts notice for respondent Nos.1 to 4.

2. Issue emergent notice to respondent No.5 returnable by 24.08.2026.

3. Learned counsel for the petitioner is also permitted to take out hand summons on respondent No.5.

4. Learned AGA is directed to secure instruction and make her submission as to on what basis the official



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respondents are taking action against the petitioner when there is a registered lease deed for a period of 9 years which has been executed in favour of the petitioner on 01.08.2022, which would be in force till 31.07.2031.

5. The respondents are restrained from taking any action against the petitioner, till the next date appearing. is stayed, till the next date of pairing.

6, Process fee and copies to be furnished by the end of the day 12.08.2026, failing which, the interim order granted would stand automatically vacated.

7. Accepting the reasons stated in support of the applications, I.A.Nos.1/2026, filed for dispensing with the production of typed copies of Annexures-B, C, L and M are allowed. Accordingly, I.A.No.1/2026 is allowed.

*8. Re-list on **24.08.2026.**"*

6. It is forthcoming from the Memorandum of Arguments filed on behalf of the petitioner in Com O.S. No.340/2026 that the petitioner who is the plaintiff in the said suit has stated as under:

"5. There is no prayer in the plaint seeking declaration of title or ownership over the Schedule Property. The plaintiff does not claim to be the owner of the Schedule Property. Equally, the Plaintiff does not seek recovery of possession from the Defendant. On the



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contrary, the Plaintiff asserts that it is already in lawful possession under the subsisting, registered Lease Deed and seeks protection of such possession from unlawful interference and forcible dispossession.

XXX

8. *In the present case, the Plaintiff has not sought possession of the Schedule Property. The plaintiff is already in possession. The declaration is also not a declaration of ownership/title to the property. The Plaintiff seeks to invalidate the Defendant's purported premature termination of the subsisting Lease Deed and thereby protect its existing contractual possession.*

(emphasis supplied)

7. It is further pertinent to note that the lessee under the registered Leased Deed dated 14.09.2022 (Annexure-C to the writ petition) is not the petitioner. The petitioner claims to be an assignee pursuant to an Addendum dated 20.11.2025 (Annexure-N to the writ petition), which is an unregistered document. Respondent No.5 has also contended that no rights could be asserted by the petitioner by virtue of the Addendum dated 20.11.2025 since the same is not registered, having regard to the fact that the said Addendum seeks to modify the

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Lease Deed dated 14.09.2022, which was a registered document.

8. It is also the contention of respondent No.5 that the lessee under the Lease Deed dated 03.04.2022 through whom the petitioner claims right, title and interest is in due of a sum of Rs.64,19,129/- towards arrears of rent as on 31.07.2026 after setting off the security deposit of Rs.21.00 lakhs; as also is due in a sum of Rs.85,771/- towards the electricity charges.

9. It is clear from the material on record that various disputed questions of fact are sought to be asserted by the petitioner and respondent No.5.

10. It is further relevant to note that the petitioner has sought a slew of reliefs, which arise out of the right, title and interest asserted by the respective parties from the registered Lease Deed dated 14.09.2022. Civil proceedings have already been initiated by the petitioner which is being contested by the respondent No.5. The dispute between the parties is *ex-facie* civil in nature and not one, which is to be adjudicated in proceedings under Article 226 of the Constitution of India.



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11. Accordingly, the present writ petition stands dismissed.

12. Pending IAs., if any, stand disposed of.

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(C.M. POONACHA)
JUDGE

BS - List No.: 1 SI No.: 65