



CNR: KAHC010617242025

NC: 2026:KHC:52984-DB
CCC No. 1229 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF SEPTEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

CIVIL CONTEMPT PETITION NO. 1229 OF 2025

BETWEEN:

V. CHANDRAPPA
S/O. VENKATASWAMY
AGED ABOUT 67 YEARS,
OCC: ADVOCATE,
R/O NO.3, 4TH FLOOR,
SALARPURIA WINDSOR,
ULSOOR ROAD, BENGALURU,
KARNATAKA - 560 042.

...COMPLAINANT

(BY SRI.PRATHITH H.S., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP. BY THE PRINCIPAL SECRETARY,
URBAN DEVELOPMENT AUTHORITY,
VIKAS SOUDHA, AMBEDKAR VEEDHI,
BENGALURU-560 001.

...PROFORMA RESPONDENT NO.1

2. P. MANIVANNAN
THE COMMISSIONER,
BANGALORE DEVELOPMENT AUTHORITY,
T.CHOWDIAH ROAD,
KUMARA PARK WEST,
BENGALURU-560 020.

Digitally signed by
SUMATHY KANNAN
Location: CHIEF
COURT OF
KARNATAKA



CNR: KAHC010617242025

NC: 2026:KHC:52984-DB
CCC No. 1229 of 2025

3. L. SHASHIKUMAR
TOWN PLANNING MEMBER
BANGALORE DEVELOPMENT AUTHORITY,
T.CHOWDIAH ROAD,
KUMARA PARK WEST,
BENGALURU-560 020.

...ACCUSED

(BY SMT.B.SUKANYA BALIGA, AGA FOR PROFORMA R1;
SMT.DEEPTI AYATHAN ADVOCATE FOR ACCUSED)

THIS CIVIL CONTEMPT PETITION IS FILED UNDER SECTIONS 11 AND 12 OF THE CONTEMPT OF COURTS ACT, 1971, BY THE COMPLAINANT, PRAYING TO INITIATE CONTEMPT PROCEEDINGS AGAINST THE ACCUSED HEREIN FOR HAVING WILLFULLY DISOBEYED THE ORDER DATED 24.04.2025 IN W.P. NO.12070/2025 (BDA) PASSED BY THE HON'BLE LEARNED SINGLE JUDGE, PRODUCED AT ANNEXURE-C AND PUNISH THE ACCUSED IN ACCORDANCE WITH LAW.

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

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Learned counsel Smt.Deepti Ayathan, is permitted to file vakalatnama on behalf of accused No.3 in the office during the course of the day. For accused No.2, it is stated that the vakalatnama has already been filed by the learned counsel.

2. The order of writ Court, disobedience of which is alleged reads as follows:



CNR: KAHC010617242025

NC: 2026:KHC:52984-DB
CCC No. 1229 of 2025

"ORAL ORDER"

Learned counsel for the petitioner submits that in this writ petition, the relief claimed by the petitioner is similar to the one sought in WP No.4217/2025 and this Court has allowed the writ petition on 02.04.2025.

2. Learned counsel for the petitioner submits that the issue brought before this Court is whether the planning authority i.e., the Bangalore Development Authority could reject an application for change of land use or for approval of a layout plan etc., on the ground that the lands are required for future acquisition. This Court, while considering the said writ petition held, having regard to the law laid down by the Apex Court in the case of T.Vijayalakshmi and Others vs. Town Planning Member and another reported in (2006) 8 SCC 502 that such applications which are filed in terms of the relevant provisions of the statute will have to be decided in accordance with the law applicable as on the date on which such application is filed. It was therefore held that such impugned endorsement could not have been issued by the respondents declining to grant permission on the premise that a proposal has been forwarded by the BDA for future development in respect of the lands in question along with the neighbouring lands. So long as no notification of acquisition is issued, the respondent authorities/planning authority cannot decline to consider such application filed by the petitioner.

Consequently, the writ petition is allowed. The impugned endorsement at Annexure-A dated 21.03.2025, is hereby quashed and set aside. A writ of mandamus is issued to respondent Nos.2 and 3 to consider the application filed by the petitioner at Annexure-G dated 6.1.2024 and pass necessary orders in accordance with law subject to fulfillment of all other requirements, as expeditiously as possible and at any rate within a



CNR: KAHC010617242025

NC: 2026:KHC:52984-DB
CCC No. 1229 of 2025

period of two months from the date of receipt of a copy of this order."

3. A compliance affidavit is filed today in Court which is taken on record, in paragraph Nos.5 and 6, it is stated as follows:

5. I state that, pursuant to the aforesaid order of this Hon'ble Court and upon consideration of the application of the Complainant and the relevant records, the Authority has taken the following steps in accordance with law:

- a. I state that the Law Officer of the Authority was consulted via informal note dated 11.08.2025, and upon further consultation with the Land Acquisition Section, it was opined with the approval of the Commissioner to take appropriate action in the matter without delay.*
- b. I state that the subject lands were inspected and found to have access via the existing 9.10-meter wide Bellahalli-Mittaganahalli Main Road, with vacant land and surrounding residential developments.*
- c. I state that public objections were invited for 15 days under Section 14-A of the KTCP Act, 1961, by publishing notices in "Vijayavani" and "Vijaya Karnataka" Kannada daily newspapers on 19.11.2025. A single objection was received on 05.12.2025 from Vishwa Kannada Samaja was scrutinized and found to lack merit.*
- d. I state that the proposal was placed before the Town Planning Committee Meeting of the Authority held on 10.03.2026. The Committee, vide Resolution No.1.24/2026, thoroughly reviewed the proposal and observed that the subject lands have road connectivity via the existing 9.10-meter wide*



CNR: KAHC010617242025

Bellahalli-Mittaganahalli main road, cart tracks (Bandidaari) exist as per the village and survey maps, and active residential developments exist in the surrounding areas. The Committee further evaluated the single public objection received and found that the objections raised lacked merit. Furthermore, considering the order of this Hon'ble High Court in W.P. No.12070/2025 and explicitly noting that no acquisition process or preliminary notification has been initiated so far for Mittaganahalli village under the Future Extension of Arkavathy Layout Scheme, the Committee resolved to recommend the proposal for Change of Land Use (Agricultural to Residential) under Section 14-A of the KTCP Act, 1961, and Proviso 4(e) of the Government's CLU Guidelines dated 12.10.2012 to the Government, subject to the existing road being widened to 18.0 meters as per Government Circular dated 19.01.2021 and cart track (Bandidaari) alignments being preserved according to survey maps.

- e. I state that in light of the Town Planning Committee Resolution No.1.24/2026 dated 10.03.2026, the proposal along with all required enclosures, survey maps, checklist, and notes was formally submitted to the Additional Chief Secretary of the Government, Urban Development Department, for consideration and final approval vide official communication No.BDA/TPM/CLU-315/1308/2026-27 dated 13.07.2026 (E-office No. 114096).*
- f. I state that a copy of the said communication dated 13/07/2026 submitting the proposal to the Government for final approval was also duly communicated to the Complainant, Shri V. Chandrappa for his information.*
- 6. I state that the Authority, BDA has at all times acted bona fide and in accordance with the applicable provisions of law and the directions issued by this Hon'ble Court. The application of the Complainant has been duly considered at the*



CNR: KAHC010617242025

**NC: 2026:KHC:52984-DB
CCC No. 1229 of 2025**

appropriate levels, statutory newspaper publications were completed, public objections were evaluated, and the Town Planning Committee passed a resolution recommending the Change of Land Use to the Government. It is thus evident that the Bangalore Development Authority has acted on the directions issued by this Hon'ble Court in W.P.No.12070/2025 by considering the Petitioner's application in accordance with law and taking the necessary procedural decision which is communicated vide letter dated 13/07/2026 to the Complainant."

4. Additionally, an unconditional apology has also been tendered.

5. It is evident from the compliance affidavit that the proposal has been submitted by the accused to the Government for final approval, which fact has also been communicated to the complainant for his information.

6. The order of the writ Court has been complied with. The contempt petition is therefore consigned.

**Sd/-
(JAYANT BANERJI)
JUDGE**

**Sd/-
(TARA VITASTA GANJU)
JUDGE**