



CNR: KAHC010628772026

NC: 2026:KHC:48591
WP No. 28332 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 28332 OF 2026 (LB-RES)

BETWEEN:

SRI RAGHAVENDRA B R
S/O H.V. REVANNA,
AGED ABOUT 44 YEARS,
R/AT, GIRIJA NILAYA,
IN FRONT OF VISDAM SCHOOL,
M.A. PRAKASH LAYOUT,
SCOUT CAMP ROAD,
DODDABALLAPURA-561 203.

...PETITIONER

(BY SRI. NAGARAJA H R., ADVOCATE)

AND:

1. STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF URBAN DEVELOPMENT,
M.S. BUILDING,
BENGALURU-560 001.
2. CITY MUNICIPAL COUNCIL,
DODDABALLAPURA,
BENGALURU RURAL DISTRICT-561 203,
REP. BY ITS MUNICIPAL COMMISSIONER.
3. SRI P.V. LAKSHMINARAYANA SETTY,

Digitally
signed by
VANAMALA
N
Location:
HIGH
COURT OF
KARNATAKA



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S/O P.L. VENKATACHALA SETTY,
AGED ABOUT 56 YEARS,
RESIDING AT NO.18, 16TH CROSS,
MANJUNATHA NAGAR,
MAGADI ROAD,
BENGALURU-562 123.

4. SRI P.V. SURESH BABU,
S/O P.L. VENKATACHALA SETTY
AGED ABOUT 52 YEARS,
R/AT VIKASA NIVASA,
M.A. PRAKASH LAYOUT,
SCOUT CAMP ROAD,
NEAR RAILWAY STATION,
DODDABALLAPURA,
BENGALURU RURAL DISTRICT-561 203.

...RESPONDENTS

(BY SRI. BOPANNA BELLIAPPA, AGA FOR R1)

THIS WRIT PETITION IS FILED UNDER ARTICLES
226 AND 227 OF THE CONSTITUTION OF INDIA
PRAYING TO QUASHING THE INTIMATION
LETTER/ NOTICE/ ORDER DATED 02.09.2026 ISSUED
BY THE R2 MUNICIPAL COMMISSIONER
DODDABALLAPURA TALUK, IN NO.
CMD/TC/CR/38/2026-27 WHICH PRODUCED AT
ANNX-A.

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



CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

The petitioner's grievance is with the Intimation Letter dated 02.09.2026 [*Annexure-A*] issued by the City Municipal Council, Doddaballapura [*the second respondent*]. The second respondent has issued this Intimation Letter informing the petitioner that this Court in W.P.No.7197/2021 (LB-RES) has called upon the Commissioner to take note of the complaints made about the unauthorized construction on a public street, issue show cause notices to encroachers take action in accordance with law to remove encroachments and that the petitioner therefore must respond within seven days otherwise steps will be taken for removal of the encroachment and recovery of costs.

2 Sri. Nagaraja H R, the learned counsel for the petitioner, submits [*a*] that this Intimation Letter does not admit the petitioner any opportunity to show cause against the alleged encroachment, [*b*] that there is



immediate threat of dispossession and **[c]** that the petitioner cannot be dispossessed from the property which is purchased under the Sale Deed dated 02.12.2010 *[Annexure-B]* especially when the petitioner is admitted the benefit of revenue entries.

3 Sri. Bopanna Belliappa, a learned Additional Government Advocate, who is called upon to accept notice for the first respondent, is heard. The short question for consideration is:

Whether this Court must interfere with the impugned Intimation Letter dated 02.09.2026 to quash the same or read this Intimation Letter as only a 'Show Cause Notice' to the petitioner granting opportunity.

4 The impugned Intimation Letter itself categorically states that this Court has called upon the Commissioner to take note of encroachments and issue Show Cause Notices for removal of encroachment, if any. It would follow from this that the second respondent should have issued a Show Cause Notice



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which extends an opportunity to the noticee [such as the petitioner] to justify his possession based on the title. Therefore, this Court is persuaded to dispose of the petition treating the impugned Intimation Letter as a '*Show Cause Notice*' to the petitioner with opportunity to respond to the same by **15.09.2026** calling upon the second respondent to consider the reply and documents filed by the petitioner and pass just orders. It is needless to observe that until there is a reasoned order, the petitioner cannot be dispossessed from the property.

The petition is allowed in view of the aforesaid terms.

Sd/-
(B M SHYAM PRASAD)
JUDGE

RU
List No.: 2 Sl No.: 15