



CNR: KAHC010720932024

NC: 2026:KHC:55285
WP No. 33798 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE T.P.VIVEKANANDA

WRIT PETITION NO.33798 OF 2024 (GM-RES)

BETWEEN:

MR. DEVANGA KRISHNAPPA THIMMAPPA
S/O LATE D.V. KRISHNAPPA,
AGED ABOUT 52 YEARS,
R/A VENKATESHWARA NILAYA,
II BLOCK, IYAPPA SWAMY TEMPLE ROAD,
DANDINAPETE,
KUSHAL NAGAR-571 234.

...PETITIONER

(BY SRI. SIRI RAJASHEKAR, ADVOCATE)

AND:

BHARAT SANCHAR NIGAM LTD
(A GOVT. OF INDIA ENTERPRISE),
REPRESENT BY ESTATE OFFICE,
OFFICE OF THE GENERAL MANAGER,
TELECOM NO.69, TEMPLE ROAD,
1ST CROSS, IV BLOCK,
JAYALAKSHMIPURAM,
MYSORE-570 012.

...RESPONDENT

(BY SRI. VISHNU BHAT, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH VACATION NOTICE VIDE NO.E-259592/CROP/
D.K.THIMMAPPA/CSC COMPOUND/KUL-KDG/2024-2/53, DATED



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AT MYSURU, DTD. 25.10.2024 ISSUED BY THE RESPONDENT
VIDE ANNEX-E TO THE PETITIONER.

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

CORAM: HON'BLE MR. JUSTICE T.P.VIVEKANANDA

ORAL ORDER

The petitioner is before this Court calling in question the notice dated 25.10.2024, by which, the extension of lease of 3 years from 01.07.2024 to 30.06.2027 as proposed pursuant to the communication dated 16.07.2024 has been cancelled due to the administrative reasons.

2. On the apprehension that the petitioner would be evicted from the premises in question without due process of law, the petitioner has approached this Court challenging the communication at Annexure-E. This Court has granted an interim order on 12.12.2024 staying the impugned notice.



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3. The learned counsel for the respondent submits that the reason for cancellation of the proposed extension of lease was due to the fact that the petitioner has put up additional construction without the leave of the respondent who is the owner of the property.

4. The learned counsel for the respondent further submits that in order to take possession of the lease premises, the respondent has instituted OS.No.94/2025 before the Civil Judge and JMFC, Kushalnagar and the petitioner herein who is arrayed as defendant in the said suit is participating in the said proceedings.

5. Accordingly, the learned counsel for the respondent seeks for dismissal of the writ petition in view of the respondent initiating the suit for recovery of possession.

6. The learned counsel for the petitioner has also produced the copy of the suit summons issued in the aforesaid suit.



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7. In the light of the fact that the respondent has initiated proceedings for recovery of possession in the manner known to law, the apprehension of the petitioner that the petitioner would be dispossessed without due process of law no longer subsists.

8. Accordingly, the writ petition is ***disposed of*** granting liberty to the petitioner as well as the respondent to work out their remedies in the pending suit. All the contentions of both the parties are kept open to be considered in the pending suit.

Sd/-
(T.P.VIVEKANANDA)
JUDGE

PB
List No.: 1 Sl No.: 49