HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

WRIT PETITION NO.7020 OF 2021 (LB-BMP)

BETWEEN:

1. B.N. SATHYA KUMAR
   S/O LATE B.V.NANJA REDDY
   AGED ABOUT 63 YEARS,
   R/AT NO.493, 'MATHRUSHREE NILAYA',
   BALAGERE MAIN ROAD,
   VARTHUR POST,
   BENGALURU EAST TALUK,
   BENGALURU-560 087.

...PETITIONER

(BY SRI. PAVANA CHANDRA SHETTY H., ADVOCATE)

AND:

Digitally signed by GEETHA P G
Location: HIGH COURT OF KARNATAKA

1. THE COMISSIONER,
   BRUHATH BENGALURU MAHANAGARA
   PALIKE (BBMP), N.R. SQUARE
   BENGALURU-560 002.
2. THE JOINT COMMISSIONER,
   BRUHATH BENGALURU MAHANAGARA
   PALIKE (BBMP)
   MAHADEVAPURA ZONE,
   WARD NO.149, BENGALURU.
3. THE ASSISTANT EXECUTIVE ENGINEER
   RAMAGONDANAHALLI,
   WHITEFIELD (SUB DIVISION),
   BENGALURU-560 066.

...RESPONDENTS

(BY SRI. VAIBHAV RAVI MALIMATH, ADVOCATE)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT AUTHORITIES TO CONSIDER THE PETITIONER'S REPRESENTATIONS EFFECTIVELY, MADE ON 26.03.2021 FOR THE PURPOSE OF NOT TO FORM THE ROAD IN THE LAND BEARING SY.NO.10/18, MEASURING 15 GUNTAS, SITUATED AT VARTHUR VILLAGE, VARTHUR HOBLI, BALAGERE MAIN ROAD, BENGALURU EAST TALUK PRODUCED AS ANNEXURES-A AND B, ETC.

THIS PETITION, COMING ON FOR ORDERS THROUGH PHYSICAL HEARING/VIDEO CONFERENCING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.I.ARUN

ORAL ORDER

1. On the allegation that the petitioner is the owner of 15 guntas of land in Survey No.10/18, Varthur Village, Varthur Hobli, Balagere Main Road, Bengaluru East Taluk and that Bruhat Bengaluru Mahanagara Palike ('BBMP' for short) is illegally forming a road on his property, the petitioner made representations to the BBMP, the copies of which are produced herein as Annexures-A and B. As no action was initiated by BBMP, the writ petition is filed with the following prayers:

"a. Direct the Respondent Authorities to consider the Petitioner's representations effectively, made on 26.03.2021 for the purpose of not to form the road in the land bearing Sy.No.10/18, measuring 15 guntas, situated at Varthur Village, Varthur Hobli, Balagere Main Road, Bengaluru East Taluk produced as ANNEXURE-A & B.

b. Direct the Respondent Authorities not to interfere without due process of Law to the Petitioner's property bearing Sy.No.10/18, measuring 15 guntas, situated at Varthur Village, Varthur Hobli, Balagere Main Road, Bengaluru East Taluk.

C. Issue any other writ, order or direction and such other order or direction as this Hon'ble Court may deems fit to grant in the facts and circumstances of the case."

2. Sri Vaibhav Ravi Malimath, learned counsel appearing for respondent Nos.1 to 3-BBMP now Greater Bengaluru Authority, upon instructions, submits that they are not aware as to whether the petitioner is the owner of the property in Survey No.10/18 as claimed by him. However, it is submitted that the respondents are not forming any road on the property in Survey No.10/18 as alleged by the petitioner. It is further submitted that in the adjoining

property which is owned by a third party, a road is being formed by the third party for his convenience and the respondents have got nothing to do with the said road.

3. As the property of the petitioner is not utilized by the respondent-BBMP now Greater Bengaluru Authority, for the formation of any road, consideration of the representations of the petitioner as prayed by him does not arise.

4. If the petitioner has any dispute with his neighbour, he is always at liberty to approach the appropriate forum in the manner known to law.

5. For the aforementioned reasons, the writ petition is hereby dismissed. Pending interlocutory applications, if any, stand disposed of.

Sd/-
(M.I.ARUN)
JUDGE

hkh.
List No.: 1 Sl No.: 46