HC-KAR

CNR: KAHC010169012022

NC: 2026:KHC:60072-DB
WP No. 7923 of 2022

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF OCTOBER, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE K.S.BHARATH KUMAR

WRIT PETITION NO. 7923 OF 2022 (LB-RES-PIL)

BETWEEN:

1. SRI. NAVEEN R.
   S/O SRI. RAMASWAMY,
   AGED ABOUT 31 YEARS,
   R/AT #23, WARD NO.1,
   VENKATAGIRIKOTE, MAIN ROAD,
   CHINTAMANI - 563 125.

2. SRI. RAMESH N.
   S/O SRI. T. NAREPPA,
   AGED ABOUT 47 YEARS,
   R/AT: MUNAGANAHALLI VILLAGE,
   KALLAHALLI POST,
   CHINTAMANI TALUK - 563 125.

3. SRI. KEMPAREDDY V.
   S/O LATE. VENKATARAMAPPA,
   AGED ABOUT 48 YEARS,
   R/AT: MUNAGANAHALLI VILLAGE,

Digitally signed by RAKSHA
Location: high court of karnataka

KALLHALLI POST,
CHINTAMANI TALUK - 563 125.

…PETITIONERS

(BY SRI. G.S. KANNUR, SENIOR COUNSEL FOR
SRI. MURUGESH V. CHARATI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REVENUE DEPARTMENT,
REPRESENTED BY ITS SECRETARY,
BENGALURU - 560 001.

2. PRINCIPAL SECRETARY
RURAL DEVELOPMENT AND PANCHAYATH RAJ,
STATE OF KARNATAKA,
M.S.BUILDING, 3RD FLOOR,
BENGALURU - 560 001.

3. CHIEF SECRETARY
KARNATAKA TANK CONSERVATION
AND DEVELOPMENT AUTHORITY,
KARNATAKA SEEDS, GROUND,
BELLARY ROAD, HEBBAL,
BENGALURU - 560 024.

4. DEPUTY COMMISSIONER
CHIKKABALLAPURA DISTRICT,
CHIKKABALLAPURA - 562 101.

5. THE ASSISTANT DIRECTOR
TOWN AND COUNTRY PLANNING,

CHIKKABALLAPURA DISTRICT,
CHIKKABALLAPURA - 562 101.

6. CHIEF EXECUTIVE OFFICER
ZILLA PANCHAYATH,
CHIKKABALLAPURA - 562 101.

7. EXECUTIVE OFFICER
TALUK PANCHAYATH,
CHINTAMANI - 563 125,
CHIKKABALLAPURA.

8. PANCHAYAT DEVELOPMENT OFFICER
MUNAGAHALLI GRAMA PANCHAYATH,
CHINTAMANI - 563 125,
CHIKKABALLAPURA.

9. DEPUTY DIRECTOR
LAND RECORDS,
CHIKKABALLAPURA - 562 101.

10. ASSISTANT COMMISSIONER
CHIKKABALLAPURA DISTRICT,
CHIKKABALLAPURA - 562 101.

11. THE THASILDHAR
CHINTAMANI TALUK - 563 125,
CHIKKABALLAPURA DISTRICT.

12. SRI. M. KRISHNAREDDY, MLA
S/O LATE MUNIVENKATAREDDY,
AGED ABOUT 55 YEARS,

R/AT: NO.6, SUNANDAMMA NILAYA,
ANJANI BADAVANE,
CHINTAMANI - 563 125,
CHIKKABALLAPURA DISTRICT.

…RESPONDENTS

(BY SRI. V.G.BHANU PRAKASH, AAG ALONG WITH
SMT. PRAMODHINI KISHAN, AGA FOR R1, R2, R4 AND R5,
R9 TO R11.,
SRI. RAGHUNATH V., ADVOCATE FOR R3,
SRI. MANJUNATH B.R., ADVOCATE FOR R6 TO R8,
SRI. PRABHULING K. NAVADGI, SENIOR COUNSEL FOR
SMT. RADHA JAYANTHI C.S., ADVOCATE FOR R12.)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF MANDAMUS OR ANY OTHER WRIT IN ANY NATURE, DIRECTING THE RESPONDENTS TO DEMOLISH THE STRUCTURE/COMMERCIAL BUILDING EXISTING IN THE IMMOVABLE PROPERTY COMPRISED IN Sy.No.36/A OF MUNAGANAHALLI VILLAGE, KASABA HOBLI, CHINTAMANI TALUK, CHIKKABALLAPUR DISTRICT AND ETC.,

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE K.S.BHARATH KUMAR

CNR: KAHC010169012022

ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

1. This writ petition is filed seeking the following reliefs;

> *"(i) Issue a Writ of mandamus or any other Writ in any nature, directing the respondents to demolish the structure/commercial building existing in the immovable property comprised in Sy.No.36/A of Munaganahalli Village, Kasaba Hobli, Chintamani Taluk, Chikkaballapur District.*
>
> *(ii) Pass such other order or orders and grant such other relief in favour of the Petitioners as deem fit in the circumstances of the case and in the ends of justice and equity."*

2. We have heard learned Senior Counsel appearing for the writ petitioners, learned Additional Advocate General appearing for the official respondents as well as the learned Senior Counsel appearing for respondent No.12.

3. It is the contention of the petitioners that respondent No.12 owns immovable properties beside Munganahalli Tank and is making constructions within the buffer zone of

the Tank or the Tank Bed. It is submitted that respondent No.12 had approached respondent No.8 to obtain a survey sketch by mentioning wrong boundaries of his property and has obtained the sketch and has commenced constructions in the Tank Bed of the buffer zone. It is submitted that though representations ie., Annexures - D to D3 had been submitted by the petitioners before the appropriate Authorities, no meaningful steps have been taken in the matter.

4. Learned Senior counsel appearing for respondent No.12 submits that the writ petition is misconceived and it is only on account of personal and political animosity that the petition has been filed raising incorrect complaints.

5. However, in view of the fact that the complaint has been raised with regard to violation of the provisions of the Karnataka Tank Consideration and Development Authority Act, 2014 and in view of the complaints raised, we are of the opinion that the question as to whether

respondent No.12 has made any constructions within the prohibited area, requires to be considered.

6. Learned Additional Advocate General submits that the Committee has been constituted for sustainable development, protection and management of the lakes in the State and that the Committee with the Deputy Commissioner as a Chairperson with the Chief Executive Officer of the Zila Panchayath, Deputy Conservator of Forests, District Environmental Officer, Karnataka State Pollution Control Board, Member Secretary District Legal Services Authority, Executive Engineer, Water Resources Department, Project Director, District Urban Development Cell and District Executive Officer, Karnataka Lake Conservation and Development Authority as well as the Executive Engineer, Minor Irrigation Department has been formed pursuant to the Government Order dated 06.06.2026. It is submitted that this Committee is to look out the question as to any illegal constructions within the prohibited areas.

7. Having considered the contentions advanced and in view of the Government Order dated 06.06.2026 which designates a Committee for sustainable development, protection and management of the lakes in the State, we are of the opinion that the question as to whether respondent No.12 has made any objectionable constructions is to be considered by the said Committee.

8. In the result:-

(i) The petition is ***disposed of.***

(ii) There will be a direction to the Deputy Commissioner concerned, to place the complaint raised by the petitioners before the Committee which will consider the same with notice to respondent No.12 and pass appropriate orders in the matter.

(iii) Once the orders are passed, further follow up action shall be taken by the designated Officer, in accordance with law.

(iv) The Committee shall issue notice, consider the contentions and pass orders within a period of three months from the date of receipt of a certified copy of the judgment.

Sd/-
(ANU SIVARAMAN)
JUDGE

Sd/-
(K.S.BHARATH KUMAR)
JUDGE

GH
List No.: 1 Sl No.: 26