IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 11229 OF 2026 (GM-RES)

BETWEEN:

1. PRAJA VIMOCHANA CHALAVALI
SAMATHAVADA (R),
REPRESENTED BY ITS PRESIDENT
C. BHAVANI PRASAD,
OFFICE AT NO. 11, KONANAKUNTE,
SRI CHANDRACHOODESHWARA LAYOUT,
DODDAKALLASANDRA POST,
ANJANAPURA MAIN ROAD,
BANGALORE - 560 062.

2. MANJULA
W/O GOPAL T
AGED ABOUT 47 YEARS,
NO. 708, 11TH CROSS,
WEAVERS COLONY, BANNERAGHATTA ROAD,
BANGALORE - 560 083.

3. KARNATAKA DALITHA SANGARSHA SAMITI (R)
STATE COMMITTEE (PARIVARTHANA VADA)
REPRESENTED BY ITS CHIEF EDITOR
M. GOVINDARAJU
OFFICE AT NO. 2008,
GROUND FLOOR,
100 FEET ROAD,
HAL 2ND STAGE,
INDIRA NAGARA,

Digitally signed by NAGARAJA B M
Location: HIGH COURT OF KARNATAKA

BANGALORE - 560 038

…PETITIONERS

(BY SRI. SRIKANTH N.V, ADVOCATE)

AND:

1. STATE OF KARNATAKA
   REPRESENTED BY ITS CHIEF SECRETARY
   VIKASA SOUDHA, BANGALORE - 560 001.

2. THE COMMISSIONER,
   BENGALURU MAHANAGARA PALIKE,
   HUDSON CIRCLE.

3. THE COMMISSIONER,
   BENGALURU MAHANAGARA PALIKE
   HUDSON CIRCLE,
   NR SQUARE, BANGALORE - 560 002.

4. THE DEPUTY COMMISSIONER,
   BANGALORE URBAN DISTRICT - 56009.

…RESPONDENTS

(BY SMT. NAVYA SHEKHAR, AGA FOR R1;
SRI. PAWAN KUMAR, ADVOCATE FOR R2 AND R3)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT DIRECTING THE RESPONDENT NO. 2 TO 4 TO CONSIDER THE REPRESENTATIONS DATED. 17.04.2025, 11.08.2025 AND 29.12.2025 REQUESTING TO ISSUE HAKKU PATRA TO THE MEMBERS OF PETITIONERS AS PER ANNEXURE - A, A1 AND A2 AND ETC..,

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

In the caption petition, the petitioner is seeking the following reliefs:

> *"i) Issue writ of mandamus or any other appropriate writ directing the respondent No.2 to 4 to consider the representations dated 17.04.2025, 11.08.2025 and 29.12.2025 requesting to issue Hakkupatra to the members of petitioners as per Annexure-A, A1 and A2.*
>
> *ii) Grant such other reliefs as this Hon'ble Court deems fit under the circumstances of the case."*

2. The petitioners, who claim to have formed an association espousing the cause of houseless persons, particularly those belonging to the depressed and economically weaker sections, are before this Court being aggrieved by the palpable inaction on the part of respondent Nos.1 to 3. It is their specific grievance that despite submission of detailed representations, as evidenced at Annexures-A, A1 and A2, and despite repeated reminders, the competent authorities have failed to either consider or pass any orders thereon. The petitioners would contend that such inaction has the effect of defeating the very object of welfare schemes intended for

allotment of sites to the marginalized sections of society, thereby compelling them to invoke the extraordinary jurisdiction of this Court.

3. Heard the learned counsel for the petitioners and the learned Additional Government Advocate appearing for the respondents. Perused the material on record.

4. On a careful examination of the records, this Court also takes note of a similar order passed by this Court, as produced at Annexure-F, wherein in identical circumstances, the authorities were directed to consider the representations submitted by the aggrieved parties. The principle that emerges is no longer *res integra* that when representations are submitted invoking a statutory scheme or a welfare measure, the authorities concerned are under a legal obligation to advert to such representations and take a reasoned decision.

5. It is trite that the executive cannot remain supine or adopt a policy of studied silence when citizens approach it by way of representations seeking enforcement of a scheme or benefit. The power vested in the executive is coupled with a

corresponding duty to exercise such power in a fair, reasonable and time-bound manner. Sitting over representations without consideration amounts to abdication of statutory responsibility and is antithetical to the rule of law. If a scheme is in place for allotment of sites to houseless persons belonging to depressed and economically weaker sections, and if representations are made either individually or through an association, the authorities are bound to examine the same, verify eligibility, and pass speaking orders in accordance with the governing rules and guidelines.

6. In the considered view of this Court, the inaction on the part of the respondents in not even considering the representations at Annexures-A, A1 and A2 warrants interference. This Court is satisfied that a writ of mandamus would lie to compel the authorities to discharge their statutory/public duty, albeit without expressing any opinion on the merits of the claim of the beneficiaries.

7. Accordingly, for the foregoing reasons, this Court proceeds to pass the following:

ORDER

(i) The writ petition is hereby ***allowed***;

(ii) Respondent Nos.1 to 3 are directed to consider the representations submitted by the petitioners, as evidenced at Annexures-A, A1 and A2, strictly in accordance with the applicable rules, guidelines and schemes governing allotment of sites to houseless persons belonging to depressed and economically weaker sections, and pass reasoned and speaking orders thereon;

(iii) It is made clear that the respondents shall not sit over the representations and shall take an appropriate decision in a time-bound manner;

(iv) The aforesaid exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a certified copy of this order.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

HDK
List No.: 1 Sl No.: 22