



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 11168 OF 2019 (BDA)

BETWEEN:

1. V. S. KANAKARAJ
LATE S/O V.N.SUBBAIAH
AGED ABOUT 68 YEARS,
2. VASANTHA KOKILAM
W/O V.S.KANAKARAJ,
AGED ABOUT 65 YEARS,

BOTH ARE TOGETHER RESIDING AT
NO. 53, 80 FEET ROAD,
HBR LAYOUT, NEAR BDA COMPLEX,
ABOVE SANGEETHA MEDICALS,
BENGALURU - 560 043.

...PETITIONERS

(BY SRI. SACHIDANAND H.S., ADVOCATE)

AND:

1. THE COMMISSIONER
BANGALORE DEVELOPMENT AUTHORITY,
KUMARAPARK, BENGALURU - 560 020.
2. THE STATE OF KARNATAKA
URBAN DEVELOPMENT DEPARTMENT,
VIKASA SOUDHA,
DR.AMBEDKAR VEEDHI
BENGAALURU - 560 001.
REP, BY ITS PRINCIPAL SECRETARY.
3. R. RAVIKUMAR
S/O LATE RAMAIAH,
AGED ABOUT 59 YEARS,





NO. 309/3, 17TH CROSS, 2ND MAIN ROAD,
B.S.K. 2ND STAGE, BENGALURU 560 070.

4. R RAMESH
S/O LATE RAMAIAH,
AGED ABOUT 56 YEARS,
NO. 309/3, 17TH CROSS, 2ND MAIN ROAD,
B.S.K. 2ND STAGE, BENGALURU 560 070.
5. G. SHANKAR
S/O LATE GOVINDAPPA,
AGED ABOUT 62 YEARS,
R/AT NO.22, 4TH MAIN,
2ND E CROSS, KATRIGUPE VILLAGE
BEHIND SLN BAKERY, B.S.K., 3RD STAGE,
BENGALURU - 560 085.
6. SHASHI SHEKAR NAIK
S/O LATE HARIDAS NAIK,
AGED ABOUT 56 YEARS,
R/AT NO. 486/D, 10TH MAIN,
8TH CROSS, R.M.V.EXTENSION,
SADASHIVANAGAR,
BENGALURU - 560 080.
7. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
HUDSON CIRCLE,
BENGALURU - 560 002.

...RESPONDENTS

(BY SRI.B S KARTHIKEYAN, ADVOCATE FOR R1;
SMT.CHANDINI SINGH, HCGP FOR R2;
SRI.K PRASAD HEGDE, ADVOCATE FOR R3 TO R5;
SRI.M C NAGASHREE, ADVOCATE FOR R7;
VIDE ORDER DATED 09/04/21 NOTICE TO R6 IS H/S)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASH THE ALLOTMENT
LETTER DATED 07.06.2017 ISSUED BY THE R-1 VIDE ANNEXURE-A
AND ETC.

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



CORAM: HON'BLE MR. JUSTICE R. NATARAJ

ORAL ORDER

The petitioners have sought for a writ in the nature of certiorari to quash the allotment letter bearing No.ಹೆಚ್.ಎ.ಎಲ್.2/2293/2017-18 dated 07.06.2017 issued by the respondent No.1 in favour of the respondent Nos.3 and 4. They have also sought for a writ in the nature of certiorari to quash the possession certificate bearing No.ಪಿ.ಸಿ.ಆರ್.ಸಂಖ್ಯೆ:78/2017-18 dated 23.03.2018 issued by the respondent No.1 to the respondent Nos.3 and 4. They have sought for a consequent writ to set aside the sale deed dated 13.03.2018, document No.BDA-1-08284-2017-18, of Book 1 stored in C.D.No.BDAD235, registered with the office of the Additional Registrar, Bengaluru Urban District and rectification deed dated 22.05.2018, document No.BDA-1-00892-2018-19, of Book 1 stored in C.D.No.BDAD236, registered with the office of the Additional Registrar, Bengaluru Urban District and the sale deed dated 23.07.2018, document No.BNS-1-06305-2018-19, of Book 1 stored in C.D.No.BNSD659, to declare that the respondent No.1 has no power or authority to allot or to sell



site No.2293 of HAL, II Stage, which is already auctioned and sold in favour of the petitioners as site bearing No.3504/C of HAL, II Stage. They have sought for a writ in the nature of mandamus directing the respondent No.7 not to issue any license and Khatha in favour of the respondent Nos.3 to 6, permitting changing the nature of the property and not to put up any construction on the alleged site No.2293.

2. (i) Briefly stated, the facts of the case are that, the petitioners had purchased site No.3504/C in a public auction conducted by the respondent No.1, following which, the sale was confirmed vide auction sale confirmation deed dated 29.08.2003 and a possession certificate dated 23.03.2005 bearing P.C.R.No.150/2003-2004 was issued. The petitioners got their names entered in the Municipal Records and are in possession of the site so purchased.

(ii) When they visited the site during the second week of July 2008, they found that the property was enclosed by a compound and on enquiry they came to know that the respondent Nos.3 and 4 had put up the compound and on enquiry with them, they furnished photocopies of the



possession certificate dated 23.03.2018 bearing PCR No.1718 and claimed that the respondent No.1 had executed a sale deed conveying the said property. Thereafter, the petitioners obtained an encumbrance certificate, which revealed that the respondent No.1, who had earlier sold the property to the petitioners had renumbered the property as site No.2293 and conveyed to the respondent Nos.3 and 4. The petitioners are therefore before this Court challenging the order of allotment, the possession certificate issued by the respondent No.1 in favour of respondent Nos.3 and 4 and the consequent sale deeds executed by the respondent No.1 in favour of respondent Nos.3 and 4 as well as rectification deeds etc.

3. When this petition is listed for hearing, the learned counsel for the respondent No.1 and 2 submitted that the respondent No.1 has now realized its mistake and has filed a suit in O.S.No.8253/2025 for cancellation of the allotment and the sale deed executed in favour of the respondent Nos.3 and 4. He also contends that the respondent No.1 has now allotted an alternate site to the respondent No.6 who has purchased the property from the respondent Nos.3 and 4. He therefore submits that this writ petition may be disposed of, in view of



the suit filed by the respondent No.1 and the allotment of an alternate site by the respondent No.1.

4. A perusal of the plaint filed in O.S.No.8253/2025 discloses that the site bearing No.3504/C that was conveyed to the petitioners was re-numbered as site No.2293 and thereafter conveyed to the respondent Nos.3 and 4. The respondent No.1 has now tried to make amends for its mistake by filing the above suit for setting aside the allotment as well as the sale deeds in favour of the respondent Nos.3 and 4. It has also now tried to correct the mistake by offering an alternate site to the respondent No.6, who has purchased site No.2293 from the respondent Nos.3 and 4. Therefore, it is appropriate to direct the petitioners to work out the remedy in the suit filed by the respondent No.1 in O.S.No.8253/2025 and if need be, to get themselves impleaded in the said suit.

5. Having regard to the fact that the respondent No.1 has created an unwanted nuisance to the petitioners and exposed them to an unwanted litigation and also has misled gullible purchasers such as respondent Nos.3 and 4, it is



appropriate that respondent No.1 be hauled up for a mistake committed.

6. In that view of the matter, this petition is **disposed of**, reserving liberty to the petitioners to work out the remedy in O.S.No.8253/2025 filed by the respondent No.1 in pending consideration before the XVI Additional City Civil and Sessions Judge, Bengaluru. In addition, the respondent No.1 shall pay a sum of Rs.1,00,000/- to the petitioners for exposing the petitioners to an unwanted litigation. The respondent No.1 shall recover the said sum of Rs.1,00,000/- from the salary of the officer concerned responsible for such unwanted litigation but in accordance with law.

Sd/-
(R. NATARAJ)
JUDGE

BKN
List No.: 1 Sl No.: 24