

(2025) 09 KAR CK 0542

In the Karnataka High Court, Principal Bench

Case No : Writ Petition No. 28538 Of 2025 (LB-BMP)

Pooja R

APPELLANT

Vs

Chief Commissioner Bhruhat Bengaluru Mahanagara Palike
Hudson Circle Bengaluru -560001 & Ors.

RESPONDENT

Date of Decision : 19-09-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 483
Bharatiya Nyaya Sanhita, 2003 — Section 64(1), 69
Constitution Of India, 1949 — Article 21

Citation : (2025) 09 KAR CK 0542

Hon'ble Judges : Sachin Shankar Magadam, J

Bench : Single Bench

Advocate : P.P. Hegde, Rashmi Jadhav

Final Decision : Allowed

Judgement

M.I. Arun, J

1. The petitioner in the instant writ petition has challenged the notice dated 29.08.2025 (vide Annexure-K to the writ petition) issued by respondent No.3 to one Sri.Mohan in respect of the writ petition schedule property, directing him to demolish that portion of the property which has been constructed in violation of building bye-laws and the sanction plan.

2. The case of the petitioner is that, she is the owner of the property and not the said Mohan. It is further contended that the construction has been put up in accordance with law and if an opportunity is given, she would show the same to the concerned authorities.

3. Learned counsel for the respondents, upon instructions, submits that by mistake notice has been issued to a stranger and not to the petitioner and hence, the same may be set aside, reserving the liberty to the authorities concerned to inspect the property and initiate appropriate proceedings, if the same is found in

violation of the sanction plan and the building bye-laws. His submission is placed on record.

4. Hence, I proceed to pass the following:

ORDER

- i. The Writ Petition is hereby disposed of.
- ii. The impugned notice dated 29.08.2025 issued by respondent No.3 (vide Annexure-K to the writ petition) is hereby set aside.
- iii. Liberty is granted to the respondents to initiate appropriate action against the petitioner, if it is required, in accordance with law.