

**(2024) 10 KAR CK 0001**

**In the Karnataka High Court**

**Case No :** Writ Petition No. 27351 Of 2024 (LB-BMP)

Shymol Santra & Others

APPELLANT

Vs

Commissioner Bruhath Bangalore Mahanaagra Palike N.R  
Square Bangalore 560001 & Others

RESPONDENT

**Date of Decision :** 04-10-2024

**Acts Referred:**

**Citation :** (2024) 10 KAR CK 0001

**Hon'ble Judges :** M G Uma, J

**Bench :** Single Bench

**Advocate :** Brijesh Patil, Pavan Kumar

**Final Decision :** Disposed Of

## Judgement

S.R. Krishna Kumar, J

1. In this petition, the petitioners seek the following reliefs:

"i) Issue a writ of Mandamus directing the respondents to allow/permit the petitioners and their organization members to enter the Bannappa Park Playground, Sampangiramanagar, Bangalore from 6th October 2024 onwards in order to make arrangements like erection of pandals/rain proof shamiana and / Building of Solid Stage Where the idol of Maa Durga will be placed; for the Navrathri Durga Puja celebrations from 9th October to 13th October 2024.

ii) Issue any other order or direction as this Hon'ble court deems fit in the facts and circumstances of this petition in the interest of justice and equity."

2. Heard learned counsel for the petitioners and learned counsel for the respondents and perused the material on record.

3. In addition to reiterating the various contentions urged in the petition and referring to the material on record, learned counsel for the petitioners submits that the petitioners are the public spirited citizens being devotees and members of Navajagran Public Sri. Durgapuja Samithi and they intend to perform Durga

Pooja from 09.10.2024 till 13.10.2024. In this regard, the petitioners approached respondent No.2, who had granted permission in favour of the petitioners vide Annexure-B dated 05.09.2024, thereby permitting the petitioners to perform/conduct Durga Pooja at Bannappa Park Playground, Sampangiram Nagar Ward, Bengaluru, during the period from 09.10.2024 till 13.10.2024. It is the grievance of the petitioner that before commencing performance of Durga Pooja during the aforesaid period, it is absolutely essential that the petitioners make all preparatory works such as erection of pandal/rain proof shamiana, cleaning the place, building of solid stage with a platform/passage leading to the stage for the Navarathri Durga Pooja festivities so as to ensure public safety and in the interest of the general public from 06.10.2024 itself and since the respondents are not permitting the petitioners to make the said preparatory arrangements prior to 09.10.2024, the petitioners are before this Court by way of the present petition.

4. Learned counsel for the respondents submits that so long as the petitioners do not perform poojas prior to 09.10.2024 and do only preparatory work from 06.10.2024 to 08.10.2024, the respondents have no objection for the petitioners to carry out preparatory work etc., in the said property and the petition may be disposed of accordingly. It is submitted that the respondents issued Annexure-B dated 05.09.2024 restricting the period of performance of Pooja only for a period of five days from 09.10.2024 to 13.10.2024 in the light of the Circular dated 12.08.2015 issued by the Commissioner, BBMP.

5. A perusal of the material on record including the aforesaid facts and circumstances will clearly indicate that it is an undisputed fact that the respondents have themselves granted permission in favour of the petitioners to perform pooja in the aforesaid premises from 09.10.2024 till 13.10.2024. It is needless to state that for the purpose of conducting/performing pooja during the aforesaid period, it would be necessary/essential to carry out preparatory work such as erection of pandal/rain proof shamiana, cleaning the place, building of solid stage with a platform/passage leading to the stage for the Navarathri Durga Pooja festivities etc., prior to 09.10.2024. Under these circumstances, we deem it just and appropriate to dispose of this petition directing the respondents to permit the petitioners to carry out the preparatory work such as erection of pandal/rain proof shamiana, cleaning the place, building of solid stage with a platform/passage leading to the stage for the Navarathri Durga Pooja festivities and do other acts, deeds and things for the purpose of preparation of Durga Pooja from 06.10.2024 till 08.10.2024, in accordance with law.

6. Subject to the aforesaid observations and directions, the petition stands disposed of.