

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF MARCH 2018

BEFORE

THE HON'BLE MRS.JUSTICE S.SUJATHA

WRIT PETITION NOS.7707-7708/2015(LB-BMP)

C/W

WRIT PETITION NO.1266/2015

WRIT PETITION NO.1273/2015

WRIT PETITION NO.1382/2015

WRIT PETITION NO.1384/2015

WRIT PETITION NO.1385/2015

WRIT PETITION NOS.1389-1390/2015

WRIT PETITION NOS.2470/2015 & 3976-78/2015,

WRIT PETITION NOS.2859-2862/2015

WRIT PETITION NOS.3654-3655/2015 & 4107-4110/2015

WRIT PETITION NO.3777/2015

WRIT PETITION NOS.3924/2015 & 4003/2015

WRIT PETITION NOS.6276/2015 & 6828-6829/2015

WRIT PETITION NO.6352/2015

WRIT PETITION NO.8367/2015

WRIT PETITION NO.9545/2015

WRIT PETITION NO.9546/2015

WRIT PETITION NO.13515/2015

WRIT PETITION NO.16308/2015

WRIT PETITION NO.19940/2015(LB-BMP)

IN W.P.NOS.7707-7708/2015

BETWEEN

1. SRI SHAFI AHMED
AGED 56 YEARS,
S/O SRI.MOHAMMED AMEER ALI,

2. SMT SHAEEENUISA
AGED ABOUT 43 YEARS,
W/O.SRI.SHAFI AHMED,

BOTH RESIDING AT
DELUXE, NO.9,
1ST FLOOR, 1ST CROSS,

S.G.NARAYANA LAYOUT,
LALBAGH ROAD,
BANGALORE-560 027. ... PETITIONERS

(BY SRI T P VIVEKANANDA, ADVOCATE)

AND

1. BRUHAT BANGALORE MAHANGARA PALIKE
N.R.SQUARE, BANGALORE-560002
REPRESENTED BY ITS COMMISSIONER.
2. THE ASSISTANT DIRECTOR
TOWN PLANNING(SOUTH)
BBMP COMMERCIAL COMPLEX,
2ND BLOCK, JAYANAGAR,
9TH MAIN ROAD, 9TH CROSS,
BRUHAT BANGALORE MAHANAGARA PALIKE,
BANGALORE-560 011.
3. STATE OF KARNATAKA
BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR.AMBEDKAR VEEDHI,
BANGALORE-560 001. ... RESPONDENTS

(BY SRI SREENIDHI.V, ADVOCATE FOR R1 & R2,
SRI M.MUNIGANGAPPA, HCGP FOR R3)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
OFFICE ORDER DT.9.6.2010 AT ANNEXURE-F PASSED BY THE R-
1 ETC.

IN WP.No.1266/2015

BETWEEN:

M/S SRI BALAJI INFRA
A REGISTERED PARTNERSHIP FIRM,
REGISTERED OFFICE AT NO.474,
1ST FLOOR, J.N. ROAD,
BEML 3RD STAGE, BEML LAYOUT,
RAJARAJESHWARI NAGAR,
BANGALORE-560 098,

REPRESENTED BY ITS MANAGING PARTNERS
SRI. D.S. DEEPAK AND G. SHEKAR. ... PETITIONER

(BY SRI VIVEKANANDA T P, ADVOCATE)

AND

1. BRUHAT BANGALORE MAHANAGARA PALIKE
N.R. SQUARE, BANGALORE-560 002
REPRESENTED BY ITS COMMISSIONER
2. THE JOINT DIRECTOR OF TOWN PLANNING
(SOUTH),
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R. SQUARE, BANGALORE-560 002.
3. STATE OF KARNATAKA
BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEEDHI,
BANGALORE-560 002 ... RESPONDENTS

(BY SRI SREENIDHI.V, ADVOCATE FOR R1 & R2,
SRI M.MUNIGANGAPPA, HCGP FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE OFFICE ORDER DTD 09.06.2010 AT ANNEXURE-G PASSED BY THE R-1 ETC.

IN WP.No.1273/2015

BETWEEN

M/S SAROJA DEVELOPERS
A PARTNERSHIP FIRM,
HAVING ITS OFFICE AT
No.1, SILVER SPRING ROAD,
1ST FLOOR, SAROJA SQUARE,
MARATHAHALLI MAIN ROAD,
BANGALORE-560 037
REPRESENTED BY ITS PARTNER
SRI CHIDIPOTHU CHAKRADHAR

SRI. VENKATESWARULU,
AGED ABOUT 35 YEARS

... PETITIONER

(BY SRI RAJU S, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKASA SOUDHA,
DR. AMBEDKAR VEEDHI,
BANGALORE-560 001

2. THE COMMISSIONER
BANGALORE MAHANAGARA PALIKE
N.R. SQUARE,
BANGALORE-560 002

3. THE JOINT DIRECTOR OF
TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N.R. SQUARE,
BANGALORE-560 002

... RESPONDENTS

(BY SRI SUBRAMANYA.R, ADVOCATE FOR R2 AND R3,
SRI M.MUNIGANGAPPA, HCGP FOR R1)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE OFFICE ORDER DTD.9.6.2010 PASSED BY THE R-2 VIDE ANNEXURE-G ETC.

IN WP.No.1382/2015

BETWEEN

SMT.N.YESHODA
D/O M. NAGARAJ,
W/O K.S. BALACHANDRA,
RESIDING AT NO. 241,
18TH CROSS, HOMBEGOWDA NAGARA,
BANGALORE 560030

... PETITIONER

(BY SRI RAJU S, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
BY IT SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKASA SOUDHA,
DR. AMBEDKAR VEEDHI,
BANGALORE -560001.
2. THE COMMISSIONER
BANGALORE MAHANAGARA PALIKE,
N.R SQUARE,
BANGALORE 560002.
3. THE ASST. DIRECTOR OF TOWN PLANNING
BBMP MAHADEVAPURA,
BANGALORE. ... RESPONDENTS

(BY SRI M.MUNIGANGAPPA, HCGP FOR R1,
SRI SUBRAMANYA.R, ADVOCATE FOR R2 & R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE OFFICE ORDER DTD.9.6.2010 PASSED BY THE R-2 VIDE ANNEXURE-G ETC.

IN WP.No.1384/2015

BETWEEN

M/S. S.M.BUILDERS
A PARTNERSHIP FIRM,
HAVING ITS OFFICE AT NO.6,
SHAKTI COMPLEX, BALAJI LAYOUT,
KAGGADASAPURA,
C.V. RAMAN NAGAR POST,
BANGALORE-560 093.
REPRESENTED BY ITS PARTNER,
SRI. K.ANIL KUMAR REDDY,
S/O GOVARDHANA REDDY,
AGED ABOUT 42 YEARS. ... PETITIONER

(BY SRI RAJU S, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKASA SOUDHA,
DR. AMBEDKAR VEEDHI,
BANGALORE-560 001.
2. THE COMMISSIONER
BANGALORE MAHANAGARA PALIKE,
N.R. SQUARE,
BANGALORE-560 002.
3. THE ASST. DIRECTOR OF
TOWN PLANNING,
BRUHAT BANGALORE
MAHANAGARA PALIKE (EAST),
SUBASH CHANDRA BOSE BUILDING,
M.G. ROAD,
BANGALORE – 560 002. RESPONDENTS

(BY SRI M.MUNIGANGAPPA, HCGP FOR R1,
SRI SUBRAMANYA, ADVOCATE FOR R2 & R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE OFFICE ORDER DTD.9.6.2010 PASSED BY THE R-2 VIDE ANNEXURE-G ETC.

IN WP.No.1385/2015**BETWEEN**

M/S. THE RADIANT BUILDERS
AND DEVELOPERS,
A REGISTERED PARTNERSHIP FIRM
HAVING ITS OFFICE AT NO.94/4,
1ST FLOOR, NEAR MUNNEKOLALU BRIDGE,
MARATHAHALLI, BANGALORE-560 037.
REPRESENTED BY ITS PARTNER
SRI. N. RAMACHANDRA
S/O NANJUNDESH REDDY

AGED ABOUT 34 YEARS, ... PETITIONER

(BY SRI RAJU S, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKASA SOUDHA,
DR. AMBEDKAR VEEDHI,
BANGALORE-560 001.
2. THE COMMISSIONER
BANGALORE MAHANAGARA PALIKE,
N.R. SQUARE,
BANGALORE-560 002.
3. THE ASST. COMMISSIONER
BRUHAT BANGALORE
MAHANAGARA PALIKE,
MAHADEVAPURA,
BANGALORE-560 002. ... RESPONDENTS

(BY SRI M.MUNIGANGAPPA, HCGP FOR R1,
SRI SUBRAMANYA, ADVOCATE FOR R2 & R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE OFFICE ORDER DTD.9.6.2010 PASSED BY THE R-2 VIDE ANNEXURE-G ETC.

IN WP.NOS.1389-1390/2015

BETWEEN

M/S. ARATTUKULAM INFRASTRUCTRE
CONSTRUCTIONS PVT. LTD.
HAVING ITS OFFICE AT NO.739,
BEHIND CITI BANK ATM,
HOSUR MAIN ROAD,
SINGASANDRA,
BANGALORE-560068
REPRESENTED BY ITS
DIRECTOR

SRI. SUNITA TONY ... PETITIONER

(BY SRI S RAJU, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKASA SOUDHA,
DR. AMBEDKAR VEEDHI,
BANGALORE-560 001
2. THE COMMISSIONER
BANGALORE MAHANAGARA PALIKE
N.R. SQUARE,
BANGALORE-560002
3. THE JOINT DIRECTOR (WEST)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R. SQUARE,
BANGALORE-02 ... RESPONDENTS

(BY SRI M.MUNIGANGAPPA, HCGP FOR R1,
SRI SUBRAMANYA R, ADVOCATE FOR R2 & R3)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE OFFICE ORDER DTD.9.6.2010 PASSED BY THE R-2 VIDE ANNEXURE-G ETC.

IN WP.NOS.2470/2015 & 3976-3978/2015

BETWEEN

1. MR GOWTHAM U NAMBISAN
AGED ABOUT 40 YEARS
S/O MR LATE UNNIKRISHNAN NAMBISAN
R/A NO.S2, BELVISTA APARTMENT
NO.206, 3RD MAIN, DEFENCE COLONY
HAL 2ND STAGE
BANGALORE-560038

2. MR JAWAD AHMED AYAZ
AGED ABOUT 50 YEARS
D/O LATE MAHAMOOD AYAZ
R/A NO.84, 3RD MAIN, DEFENCE COLONY
BANGALORE-560038

3. MR G SHARAT REDDY
AGED ABOUT 59 YEARS
S/O LATE KRISHNA MOHAN REDDY
R/A NO.260, 4TH MAIN ROAD
MAHALAKSHMI LAYOUT
BANGALORE-560086

4. MR E ANILKUMAR REDDY
AGED ABOUT 60 YEARS
S/O MR E S REDDY
R/A NO.3, RAYS OF LIGHT
35, MILLERS ROAD CROSS
BENSON TOWN
BANGALORE-560046

(BY SRI NATARAJ R, ADVOCATE)

AND

1. BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE
BANGALORE-560002
REPRESENTED BY ITS COMMISSIONER
 2. THE JOINT DIRECTOR
TOWN PLANNING(S)
BBMP ANNEXE BUILDING
N R SQUARE
BANGALORE-560002
 3. SECRETARY TO GOVERNMENT
URBAN DEVELOPMENT DEPARTMENT
VIDHANA SOUDHA
BANGALORE -560 001

... RESPONDENTS

(BY SRI K.N.PUTTEGOWDA, ADVOCATE FOR R1 & R2,
SRI M MUNIGANGAPPA, HCGP FOR R3)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE FINAL NOTIFICATION DTD.10.3.2006 VIDE ANNEXURE-F ETC.

IN WP.NOS.2859-2862/2015

BETWEEN

1. SMT K S SHAKUNTALA
WIFE OF LATE SRI. K.G. NAGABHUSHAN,
AGED 68 YEARS,
2. SRI. N. RAGHAVENDRA
S/O LATE SRI. K.G.NAGABHUSHAN,
AGED 40 YEARS,

PETITIONERS NO.1 & 2 BOTH
ARE RESIDING AT NO.85,
MODEL HOUSE STREET,
BASAVANAGUDI,
BANGALORE-560 004.

3. SMT. RASHMI M.RAO
D/O LATE SRI. K.G.NAGABHUSHAN,
AGED 36 YEARS,
RESIDING AT FF-2, SANJAY NEST,
#175, CANARA BANK COLONY,
OLD POST OFFICE ROAD,
CHIKKALASANDRA,
BANGALORE-560061
REPRESENTED BY HER MOTHER,
AND GPA HOLDER
SMT. K.S.SHAKUNTALA,
4. SRI. R.GANAPATHY RAJA
S/O LATE M.GANAPATHY RAJA,
AGED 31 YEARS,
RESIDING AT #485/5, 33RD CROSS,
9TH MAIN, JAYANAGAR 4TH BLOCK,
BANGALORE-11. ... PETITIONERS

(BY SRI SONA M BADIGER, ADVOCATE)

AND

1. BRUHAT BANGALORE MAHANAGARA PALIKE
N.R. SQUARE,
BANGALORE-560 002,
REP BY ITS COMMISSIONER
2. THE JOINT DIRECTOR OF TOWN PLANNING (SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE,
BANGALORE-560 002.
3. STATE OF KARNATAKA
BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEEDHI,
BANGALORE-560 001. ... RESPONDENTS

(BY SRI K.N.PUTTEGOWDA, ADVOCATE FOR R1 & R2,
SRI M.MUNIGANGAPPA, HCGP FOR R3)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
OFFICE ORDER DTD.9.6.2010 AT ANNEXURE-E PASSED BY THE
R-1 ETC.

IN WP.Nos.3654-3655/2015 & 4107-4110/2015

BETWEEN

1. M/S. INFINITY ESTATES
A REGISTERED PARTNERSHIP FIRM,
HAVING ITS OFFICE AT RESIDING AT NO.563/1,
"PRERANA TOWERS", RANKA COLONY ROAD,
OFF. BANNERGHATTA ROAD,
BANGALURU-560076.
REPRESENTED BY ITS
AUTHORIZED PARTNER,
SRI.S.R.MANIKANTA
2. MR YASHASVI
S/O MR H R RANGARAJAN,
AGED ABOUT 24 YEARS,
RESIDING AT NO.1980,

3RD FLOOR, APT NO.303,
4TH CROSS, 20TH MAIN,
J P NAGAR 2ND PHASE,
BANGALORE-560076.

... PETITIONERS

(BY SRI SONA M BADIGER, ADVOCATE)

AND

1. BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE,
BANGALORE-560002.
REP. BY ITS COMMISSIONER.
2. THE JOINT DIRECTOR OF
TOWN PLANNING(SOUTH)
BRUHAT BANGALORE
MAHANAGARA PALIKE,
N R SQUARE,
BANGALORE-560002.
3. STATE OF KARNATAKA
BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR.AMBEDKAR VEEDHI,
BANGALORE-560001. ... RESPONDENTS

(BY SRI K N PUTTEGOWDA, ADVOCATE FOR R1 & R2
SRI M.MUNIGANGAPPA, HCGP FOR R3)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
OFFICE ORDER DT.9.6.2010 AT ANNEXURE-F PASSED BY THE R1
ETC.

IN WP.No.3777/2015

BETWEEN

SMT SUDHA PRAKASH
W/O LATE PRAKASH K.M.,
AGED ABOUT 63 YEARS,
R/AT NO.1332, 'SAISUDHE',
II BLOCK, VIII PHASE,

J.P.NAGAR, BANGALORE-83.

... PETITIONER

(BY SRI LOURDU MARIYAPPA A, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIKAS SOUDHA,
BANGALORE-560 001.
2. THE COMMISSIONER
BRUHAT BANGALORE MAHANAGAR PALIKE,
N.R.SQUARE,
BANGALORE-560 001.
3. THE JOINT COMMISSIONER TOWN PLANNING (WEST),
BASHYAM PARK, SHESHADRIPURAM,
BANGALORE-560 020.
4. THE ASSISTANT DIRECTOR
TOWN PLANNING (WEST),
BASHYAM PARK, SHESHADRI PURAM,
BANGALORE-560 020. ... RESPONDENTS

(BY SRI M MUNIGANGAPPA, HCGP FOR R1,
SRI K.N.PUTTEGOWDA, ADVOCATE FOR R2, R3 & R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND RAISED BY THE R-4 AS AGAINST THIS PETITIONER ONLY TO THE EXTENT OF 10% OF THE MARKET VALUE OF THE PROPERTY IN THE DEMAND NOTICE DT.23.1.2015 OF THE DEMAND NOTICE VIDE ANNEXURE-F ETC.

IN WP.NOS.3924/2015 & 4003/2015

BETWEEN

M/S ARATTUKULAM DEVELOPERS
A PARTNERSHIP FIRM
HAVING ITS OFFICE AT NO.739
ADJACENT TO CHEVROLET SHOWROOM
HOSUR MAIN ROAD, SINGASANDRA

BANGALORE -560 068
 REP BY ITS MANAGING PARTNER
 MRR TONY VINCENT ... PETITIONER

(BY SRI RAJU S, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
 BY ITS SECRETARY
 URBAN DEVELOPMENT DEPARTMENT
 4TH FLOOR, VIKASA SOUDHA
 DR AMBEDKAR VEEDHI
 BANGALORE 560 001
2. THE COMMISSIONER
 BANGALORE MAHANAGARA PALIKE
 N R SQUARE
 BANGALORE 560 002
3. THE JOINT DIRECTOR OF TOWN PLANNING
 BRUHAT BANGALORE MAHANAGARA PALIKE
 N R SQUARE,
 BANGALORE -02 ... RESPONDENTS

(BY SRI M.MUNIGANGAPPA, HCGP FOR R1,
 SRI K.N.PUTTEGOWDA, ADVOCATE FOR R2 & R3)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE OFFICE ORDER DT.9.6.2010 PASSED BY THE R-2 VIDE ANNEXURE-F ETC.

IN WP.NOS.6276/2015 & 6828-6829/2015

BETWEEN

M/S ADITHI PROJETS
 A PARTNERSHIP FIRM
 REPRESENTED BY ITS PARTNERS
 SRI D PRAVEEN KUMAR
 S/O D JANARDHAN
 RESIDING AT FLAT NO.6051,
 SOBHA CARANATION,

GREEN GLEN LAYOUT,
BELANDUR,
BANGALORE-37.

... PETITIONER

(BY SRI RAJU S, ADVOCATE)

AND

1. THE COMMISSIONER
BANGALORE MAHANAGARA PALIKE
N R SQUARE
BANGALORE-560 002
2. THE JOINT DIRECTOR OF TOWN PLANNING
(NORTH)
BBMP N R SQUARE,
BANGALORE-560002. ... RESPONDENTS

(BY SRI K N PUTTEGOWDA, ADVOCATE FOR R1 & R2)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE NOTICE DT.3.2.2015 ISSUED BY THE R-2 VIDE ANNX-C ETC.

IN WP.No. 6352/2015

BETWEEN

M/S VASUNDARA BUILDERS AND DEVELOPERS
A PARTNERSHIP FIRM,
NO.5, SHOP NO.1,
VASANTHAPURA MAIN ROAD,
NEAR PIPE LINE, BIKASIPURA,
BANGALORE-560 061
REPRESENTED BY ITS PARTNER
SRI S RAVIKUMAR,
S/O SRI L SRIKANTAPPA,
AGED ABOUT 43 YEARS ... PETITIONER

(BY SRI SWAMY SHIVA PRAKASH H, ADVOCATE)

AND

1. BRUHAT BANGALORE
MAHANAGARA PALIKE
N.R SQUARE, BANGALORE-560 002
REPRESENTED BY ITS COMMISSIONER
 2. THE ASSISTANT DIRECTOR
(TOWN PLANNING)
BOMMANAHALLI DIVISION,
BRUHAT BANGALORE
MAHANAGARA PALIKE,
BANGALORE-560 068
 3. STATE OF KARNATAKA
BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR AMBEDKAR VEEDHI,
BANGALORE-560 001 ... RESPONDENTS

(BY SRI SREENIDHI.V, ADVOCATE FOR R1 & R2,
SRI M.MUNIGANGAPPA, HCGP FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE OFFICE ORDER DT.9.6.2010 AT ANNEXURE-D PASSED BY THE R-1 ETC.

IN WP.No.8367/2015

BETWEEN

SMT K V ACHAMMA
W/O K VENKATARAMANA
AGE:MAJOR, 55 YEARS
R/AT SRINIVASAPURA
YELAHANKA HOBLI,
BANGALORE ... PETITIONER

(BY SRI RAJU S, ADVOCATE)

AND

1. THE COMMISSIONER
BANAGALORE MAHANAGARA PALIKE,
N R SQUARE,
BANGALORE-560 002
 2. THE ASST.DIRECTOR OF TOWN PLANNING
BBMP YELAHANKA REGION,
BANGALORE-560 092 ... RESPONDENTS

(BY SRI SREENIDHI.V, ADVOCATE FOR R1& R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE DTD.13.2.2015 ISSUED BY THE R-2 VIDE ANNEXURE-D ETC.

IN WP.No.9545/2015

BETWEEN

M/S RADIANT STRUTURES PRIVATE LTD
HAVING OFFICE AT "SATHYAMS"
NO.48/49, 1ST FLOOR, 9TH CROSS,
SARAKKI MAIN ROAD
J P NAGAR, 1ST PHASE
BANGALORE - 560078

REPRESENTED BY ITS MANAGING DIRECTOR
MR M RAGHAVENDRA REDDY
S/O LATE DEVA REDDY
AGED ABOUT 44 YEARS
NO.48/49, 1ST FLOOR, 9TH CROSS
SARAKKI MAIN ROAD
J P NAGAR, 1ST PHASE
BANGALORE-560078
... PETITIONER

(BY SRI MANJUNATHA S V, ADVOCATE)

AND

1. BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE, BANGALORE-560002
REP. BY ITS COMMISSIONER

2. THE ASSISTANT DIRECTOR OF TOWN PLANNING
BRUHAT BANGALORE MAHANAGARA PALIKE
BOMMANAHALLI ZONE/DIVISION
BOMMANAHALLI
BANGALORE-560068
 3. STATE OF KARNATAKA
BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA
DR AMBEDKAR VEEDHI
BANGALORE-560001 ... RESPONDENTS

(BY SRI SREENIDHI V, ADVOCATE FOR R1 & R2
SRI M.MUNIGANGAPPA, HCGP FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE OFFICE ORDER DATED 9.6.2010 AT ANNEXURE-D PASSED BY THE R-1 ETC.

IN WP.No.9546/2015

BETWEEN

SMT. SHAMSHAD MUKTHAR
AGED ABOUT 51 YEARS
W/O MR MUKTHAR MOHIYUDDIN
R/A NO.2, 80 FEET ROAD
POOJARI LAYOUT, GEDDALAHALLI
BANGALORE-560 094 ... PETITIONER

(BY SRI MANJUNATHA S V, ADVOCATE)

AND

1. BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE, BANGALORE-560002
REP. BY ITS COMMISSIONER
 2. THE ASSISTANT DIRECTOR OF
TOWN PLANNING(EAST)
BRUHAT BANGALORE
MAHANAGARA PALIKE

HAVING OFFICE AT 22ND BUILDING
SUBHASH CHANDRA BHOSE BUILDING
M G ROAD
BANGALORE-560001

3. STATE OF KARNATAKA
BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA
DR AMBEDKAR VEEDI
BANGALORE-560001 ... RESPONDENTS

(BY SRI SREENIDHI.V, ADVOCATE FOR R1 & R2,
SRI M.MUNIGANGAPPA, HCGP FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE OFFICE ORDER DTD.9.6.2010 AT ANNEXURE-D PASSED BY THE R-1 ETC.

IN WP.No.13515/2015

BETWEEN

SRI B.H. RATHI
AGED ABOUT 67 YEARS,
SON OF SRI H S RATHI,
RESIDING AT NO.61/6,
BINNY CRESENT, BENSON TOWN,
BANGALORE-560 046. PETITIONER

(BY SRI MANJUNATHA S M, ADVOCATE)

AND

1. BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE, BANGALORE-560 002,
REP. BY ITS COMMISSIONER.
 2. THE ASSISTANT DIRECTOR OF TOWN PLANNING,
BRUHAT BANGALORE MAHANAGARA PALIKE,
MAHADEVAPURA ZONE,
MAHADEVAPURA ,
BENGALURU-560 048.

3. STATE OF KARNATAKA
 BY ITS SECRETARY,
 URBAN DEVELOPMENT DEPARTMENT,
 4TH FLOOR, VIKAS SOUDHA,
 DR. AMBEDKAR VEDI,
 BANGALORE-560 001.RESPONDENTS

(BY SRI S N PRASHANTH CHANDRA, ADVOCATE FOR R1 & R2,
 SRI M.MUNIGANGAPPA, HCGP FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF
 THE CONSTITUTION OF INDIA PRAYING TO QUASH THE OFFICE
 ORDER DT.9.6.2010 AT ANNEXURE-D PASSED BY THE R-1 ETC.

IN WP.NO.16308/2015

BETWEEN

1. SRI. BALASUBRAMANAM.T
 S/O SRI THOYAJASKLU NAIDU
 AGED ABOUT 35 YEARS
 R/AT NO.29A/10, 3RD MAIN
 10TH CROSS,
 SRINIVASANAGAR
 BANGALORE 560 085
2. SRI SREEDHAR J
 S/O SRI G BABU NAIDU
 AGED ABOUT 34 YEARS
 R/AT NO.5/16, 6TH CROSS
 VINAYAKA NAGAR
 BANGALORE 560085
3. SRI BALAJI
 S/O SRI KODANDA NAIDU
 AGED ABOUT 37 YEARS
 R/AT NO.393, 33 'A' MAIN ROAD
 17TH CROSS,
 J P NAGAR 6TH PHASE
 BANGALORE 560078
4. SRI SUNIL D
 S/O SRI B M DEVENDRA GUPTA
 AGED ABOUT 31 YEARS

R/AT NO.1278, 9TH A MAIN,
6TH CROSS, SRINIVASANAGAR
BANGALORE -560 050

... PETITIONERS

(BY SRI RAJU S, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKASA SOUDHA
DR. AMBEDKAR VEEDHI
BANGALORE 560 001
 2. THE COMMISSIONER
BANGALORE MAHANAGARA PALIKE
N R SQUARE
BANGALORE -560002
 3. THE JOINT DIRECTOR
OF TOWN PLANNING
(SOUTH)
BRUHAT BANGALORE
MAHANAGARA PALIKE
N R SQUARE
BANGALORE -560 002
- ... RESPONDENTS

(BY SRI M.MUNIGANGAPPA, HCGP FOR R1,
SRI SREENIDHI.V, ADVOCATE FOR R2 & R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE NOTICE DATED 5.9.2014 ISSUED BY THE R-3 VIDE ANNEXURE-D ETC.

IN WP.NO.19940/2015

BETWEEN

SRI M RAMESH
S/O A MUNIREDDY,
AGED ABOUT 59 YEARS,
R/AT 6/4, HONGASANDRA,
BEGUR MAIN ROAD,

BANGLAORE-560 068.

... PETITIONER

(BY SRI MANJUNATHA S V, ADVOCATE)

AND

1. BRUHATH BENGALURU
MAHANAGARA PALIKE
N R SQUARE,
BANGLAORE-560 002,
REP. BY ITS COMMISSIONER.
2. THE ASSISTANT DIRECTOR
OF TOWN PLANNING
BRUHATH BANGALORE
MAHANAGARA PALIKE,
BOMMANAHALLI ZONE/DIVISION,
BANGALORE-560 011.
3. STATE OF KARNATAKA
BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEDI,
BANGALORE-560 001. ... RESPONDENTS

(BY SRI SREENIDHI.V, ADVOCATE FOR R1 & R2,
SRI M.MUNIGANGAPPA, HCGP FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE OFFICE
ORDER DTD.9.6.2010 AT ANNEXURE-D PASSED BY THE R-1 ETC.

THESE WRIT PETITIONS COMING ON FOR FINAL HEARING,
THIS DAY, THE COURT MADE THE FOLLOWING:

O R D E R

Heard the learned counsel appearing for the respective parties.

2. It is not in dispute that the issue involved herein is squarely covered by the order of this Court in the case of **KARNATAKA STATE HANDICRAFTS DEVELOPMENT CORPORATION LTD., V/S. STATE OF KARNATAKA AND OTHERS (W.P.No.49530/2016 AND CONNECTED MATTERS, DD 23.03.2018)**, whereby the writ petitions are allowed quashing the impugned demand notices issued by the respondent-BBMP Authorities, in so far as demanding the payment of the market value of 10% of the plot area towards Park and Open Space Development Charges are concerned.

3. Hence, these writ petitions stand **allowed** in similar terms.

**Sd/-
JUDGE**

KSR