



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 17625 OF 2026 (LB-BMP)

BETWEEN:

SRI. PRATHAP. S
S/O SOMASHEKAR,
AGED ABOUT 29 YEARS,
RESIDING AT SITE NOS.31 AND 32,
MUNISWARA NAGARA LAYOUT,
HAALUKUNTE VILLAGE, BEGUR HOBLI,
BENGALURU - 560068.

...PETITIONER

(BY SRI. VEERESHA K.,ADVOCATE)

AND:

1. THE GREATER BENGALURU AUTHORITY
REPRESENTED BY ITS CHIEF COMMISSIONER,
N.R. SQUARE, BENGALURU - 560002.
2. THE BENGALURU SOUTH CITY CORPORATION,
REPRESENTED BY ITS COMMISSIONER,
BENGALURU-560001.
3. JOINT COMMISSIONER
BENGALURU SOUTH CITY CORPORATION,
BOMMANAHALLI ZONE/ZONE-2,





BENGALURU-560068.

...RESPONDENTS

(BY SRI.PAWAN KUMAR., ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION QUASHING THE IMPUGNED ORDER DATED 30-04-2026 BEARING NO. JA.AA(BO)/2830/2025-26-2026-27 PASSED BY THE 3RD RESPONDENT UNDER SECTION 243(3)(C) OF THE GREATER BENGALURU GOVERNANCE ACT, 2024, IN RESPECT OF THE PETITIONER'S PROPERTY BEARING SITE NOS.31 AND 32, MUNISWARA NAGARA LAYOUT, HAALUKUNTE VILLAGE, BEGUR HOBLI, BENGALURU 560068, PRODUCED AS ANNEXURE-F; B) ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION QUASHING THE SUBSEQUENT NOTICE/COMMUNICATION BEARING NO./2830/2025-26-2026-27 DATED NIL ISSUED BY THE 3RD RESPONDENT AFTER THE ORDER DATED 30-04-2026, PRODUCED AS ANNEXURE-G, AS THE SAME IS CONSEQUENTIAL TO THE IMPUGNED ORDER DATED 30-04-2026.



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

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

The petitioner is called in question the Provisional Order under Section 243(3)(c) of the Greater Bengaluru Governance Act, 2024 [for short, *the Act*], and this order is by the third respondent and is dated 30.04.2026 [*Annexure-F*]. Sri Veeresh K., the learned counsel for the petitioner, submits that the Provisional Order is without inspection as contemplated under Section 243[2] of the Act and there is every likelihood of action being taken for demolition.

2. Sri Pawan Kumar, a learned standing counsel for the respondent, rightly points out that this is only a Provisional Order and there would be



action to remove the deviations once there is an order under Section 243 (3) (e) of the Act and if the petitioner fails to act according to such order. When queried, the learned counsel is also categorical that the Provisional Order is issued but no action is taken because the petitioner has not filed any reply.

3. This Court is of the considered view that if the petitioner can justify that there is neither inspection nor a joint inspection of the property, or that there is no deviation in the terms of the Provisional Order, the petitioner still have an opportunity to show cause against the proposed action especially when there must be a personal hearing as contemplated under Section 243(d) proviso.

4. Hence, the petition stands disposed of reserving liberty to the petitioner to file a response within a week from today without waiting for a



certified copy of this order calling upon the Joint Commissioner to ensure that there is personal hearing and a reasoned order as contemplated in law. This Court also directs that there shall not be any precipitous action until there is an order under Section 243(3)(c) of the Act while also stipulating that the petitioner shall not proceed with further construction unless there is an order as aforesaid.

**Sd/-
(B M SHYAM PRASAD)
JUDGE**

SA
List No.: 11 Sl No.: 1