



CNR: KAHC010492832026

NC: 2026:KHC:43192
WP No. 22304 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE R. NATARAJ

WRIT PETITION NO. 22304 OF 2026 (BDA)

BETWEEN:

1. M/S. DHRUVIJA NISARGA
PARTNERSHIP FIRM HAVING ITS OFFICE AT
NO.50, SAROJA CHAMBERS, 4TH MAIN ROAD,
NEHRUNAGAR, BENGALURU-560020
REPRESENTED BY ITS PARTNER
SRI. M.R. NARASIMHAMURTHY
S/O M.C. RAMA RAO
2. SMT. SHASHIKALA N
AGED ABOUT 69 YEARS,
W/O. SRI. T. KRISHNAMURTHY,
RESIDING AT NO.58/40, 40TH CROSS,
8TH BLOCK, JAYANAGAR,
BENGALURU -560 082
REPRESENTED BY HER POWER OF ATTORNEY HOLDER
M/S. MANDAKINI CONSTRUCTIONS PRIVATE LIMITED
A COMPANY INCORPORATED UNDER COMPANIES ACT,
REPRESENTED BY ITS DIRECTOR
SRI. M.R. NARASIMHAMURTHY

...PETITIONERS

(BY SRI. G. SRIDHAR, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF URBAN DEVELOPMENT,
4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEEDHI,
BANGALORE-560001





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2. THE BANGALORE DEVELOPMENT AUTHORITY
T. CHOWDAIAH ROAD,
KUMARAPARK WEST,
BANGALORE-560020
REPRESENTED BY ITS COMMISSIONER
3. THE TOWN PLANNING MEMBER
THE BANGALORE DEVELOPMENT AUTHORITY
T. CHOWDAIAH ROAD,
KUMARAPARK WEST,
BANGALORE-560020

...RESPONDENTS

(BY SMT. POOJA M. KOORSE, HIGH COURT GOVERNMENT PLEADER
FOR RESPONDENT NO.1;

SRI. B.S.SACHIN, ADVOCATE FOR RESPONDENT NOS.2 AND 3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS
NOS.1 TO 3 HEREIN TO APPROVE THE PLAN FILED BY THE 2ND
PETITIONER VIDE APPLICATION DATED 16.04.2026 AT ANNEXURE-A,
AND ISSUE THE APPROVAL SOUGHT FOR THEREIN WITHIN 2 WEEKS
OR IN THE ALTERNATIVE DIRECT THE RESPONDENTS NOS.1 TO 3
HEREIN TO CONSIDER ON THE APPLICATION DATED 16.04.2026 AT
ANNEXURE-A AND PASS NECESSARY ORDERS IN A TIMELY MANNER.

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
mandamus to direct respondent Nos.1 to 3 to approve the plan



submitted by petitioner No.2 vide application dated 16.04.2026. Alternatively, they have sought for a writ in the nature of mandamus to direct respondent Nos.1 to 3 to consider the application of petitioner No.2 dated 16.04.2026 and pass appropriate orders.

2. (i) The petitioners contend that petitioner No.1 filed an application for approval of layout plan dated 12.09.2025 before respondent Nos.2 and 3 which was not approved for nearly three months. Being aggrieved by the same, they approached this Court in W.P. No.38801/2025. This Court vide order dated 19.01.2026 allowed the said petition and directed the respondents to pass appropriate orders. However, the said order was not complied. In the meanwhile, the petitioners filed another application dated 16.04.2026 for approval of modified layout plan. The petitioners contend that even after expiry of 90 days, the respondents have not considered the application. Therefore, the petitioners are before this Court seeking for a direction to the respondents to approve the layout plan by considering their application dated 16.04.2026.



3. The learned counsel for the petitioners reiterated above contentions and submitted that the delay in sanctioning the layout plan is affecting the project and the petitioners are suffering loss every day. Therefore, he prays that a direction be issued to the respondents to consider the application filed by the petitioner No.2 at the earliest.

4. The learned counsel for the respondents on the other hand submits that the application filed by the petitioners for approval of the layout plan would be considered in accordance with law within a period of three months.

5. I have considered the submissions of the learned counsel for the petitioners and the learned counsel for the respondent Nos.2 and 3.

6. Under Section 15 of the Karnataka Town and Country Planning Act, 1961 the respondent No.3 is bound to communicate its decision to the applicant within three months from the date of receipt of the acknowledgment of an application for sanction of development plan, failing which, the plan so submitted is deemed to have been granted. This is



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however subject to the plan being in conformity with the land use prescribed in the master plan. Therefore, the respondents are bound to act with caution and with alacrity to ensure that such requests for sanction of development plan is considered at the earliest.

7. In the instant case, though the petitioner No.2 filed an application on 16.04.2026, the respondents have not considered the same within the time as prescribed under Section 15(2) of the Karnataka Town and Country Planning Act, 1961. Therefore, it is appropriate to direct the respondents to consider the application filed by the petitioner No.2 within a period of one month from today, if not already considered, failing which, it shall be deemed to be approved.

8. In that view of the matter, this petition is ***allowed.*** The respondent No.3 is directed to consider the application dated 16.04.2026 submitted by the petitioner No.2 within a period of one month from today, failing which, the plan submitted by the petitioners No.2 shall be deemed to be approved under Section 15(2) of the Karnataka Town and Country Planning Act, 1961. In such event, the petitioners shall



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be at liberty to proceed with formation of the layout as per the plan, but in accordance with law.

Sd/-
(R. NATARAJ)
JUDGE

HJ
List No.: 1 Sl No.: 60