HC-KAR
CNR: KAHC010773772026

NC: 2026:KHC:64160
WP No. 35110 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 35110 OF 2026 (LB-BMP)

BETWEEN:

M/S PRECISION GRINDTECH SOLUTIONS
REPRESENTED BY ITS PROPRIETOR,
MR. KUPPU SWAMY PRASHANTH KUMAR
(PRASHANTH KUMAR K),
ADDRESS NO. 04, BBMP KHATHA
NO. 10652, G.P. ENCLAVE LAYOUT,
VADDARAPALYA,
ANNAPOORNESHWARI BADAVANE,
TIGALARAPALYA MAIN ROAD /
PEENYA 2ND STAGE, WARD NO. 40
(DODDABIDARAKALLU /
KARIOBANAHALLI VILLAGE),
BENGALURU 560058.
REGISTERED AS A COMMERCIAL
ESTABLISHMENT UNDER THE
KARNATAKA SHOPS AND COMMERCIAL
ESTABLISHMENT ACT 1961.

...PETITIONER

(BY SRI. GIRISHKUMAR R., ADVOCATE)

Digitally signed by VANAMALA N
Location: HIGH COURT OF KARNATAKA

AND:

1. GREATER BENGALURU AUTHORITY
(EARLIER BRUHAT BENGALURU
MAHANAGARA PALIKE)
REPRESENTED BY ITS
CHIEF COMMISSIONER, N.R. SQUARE,
BENGALURU, KARNATAKA - 560002.

2. THE ZONAL COMMISSIONER
RAJARAJESHWARINAGAR ZONE-01 /
BENGALURU WEST CITY CORPORATION,
BENGALURU, KARNATAKA.

3. THE MEDICAL OFFICER OF HEALTH
KENGERI DIVISION,
RAJARAJESHWARINAGAR ZONE-01,
BENGALURU WEST CITY CORPORATION / BBMP,
BENGALURU - 560060.

...RESPONDENTS

(BY SRI.PAWAN KUMAR., ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A) QUASHING AND SETTING ASIDE THE IMPUGNED NOTICE-01 VIDE NO.AAY/ KEM. V/PR/149/2026-27 DATED 10-08-2026 ISSUED BY THE 3RD RESPONDENT WHICH IS PRODUCED AT ANNEXURE A; B) QUASHING AND SETTING ASIDE THE IMPUGNED NOTICE-02 VIDE NO.AAY/ KEM. V/PR/149/2026-27 DATED 20-08-2026 ISSUED BY THE 3RD RESPONDENT WHICH IS PRODUCED AT ANNEXURE B; C) QUASHING AND

SETTING ASIDE THE IMPUGNED NOTICE-03 VIDE NO. AAY/ KEM. V/PR/210-1/2026-27 DATED 09-10-2026 ISSUED BY THE 3RD RESPONDENT WHICH IS PRODUCED AT ANNEXURE C; D) DIRECTING RESPONDENTS NO. 1 TO 3 NOT TO INTERFERE WITH THE PEACEFUL OPERATION OF THE PETITIONER ENTERPRISE AT PREMISES NO. 04, BBMP KHATHA NO. 10652, TIGALARAPALYA MAIN ROAD, PEENYA 2ND STAGE, BENGALURU 560058, EXCEPT IN STRICT COMPLIANCE WITH THE DUE PROCESS OF LAW.

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's grievance is with the third respondent's notices dated 10.08.2026, 20.08.2026 and 09.10.2026 [*Annexures-A, B and C*]. The petitioner runs a *Precision Tool Making Unit,* and the petitioner asserts that it has been admitted to registration under the Shops and Commercial

Establishments Act, 1958 as a Micro, Small, and Medium Enterprise [*MSME*].

2. Mr. Girishkumar R., the learned counsel for the petitioner, submits that though the impugned communications are styled as a *Notice*, especially the Notice dated 09.10.2026, tantamount to order/s directing the petitioner to vacate the premises giving seven days and these communications bring the petitioner under duress to relocate without considering its reply dated 27.10.2026 [*Annexure-G*]. The learned Counsel submits that if the petitioner has to be called upon to vacate, it must be after due consideration of the petitioner's case that:

- its unit is not the only unit in the locality and that there are other industrial MSME units in the vicinity;
- the area is classified as a *Residential Mixed Area* where certain industrial activities are permitted;

- if noise pollution is the reason to call upon the petitioner to relocate, the petitioner must be put on notice of the guidelines with opportunity to take corrective measures to reduce the pollution levels, if any.

Mr. Pawan Kumar, a learned Standing Counsel who is called upon to accept notice for the respondents is heard in the light of these submissions.

3. The impugned communications are styled as *Notices,* and to operate accordingly there must be an opportunity to the petitioner to file response and there must be a due consideration thereof. The petitioner has responded to the Communication dated 09.10.2026 [*Annexure - C*], but this Response remains, as asserted by the petitioner, without consideration. Unless the petitioner's Response and the circumstances as canvassed before this Court, are considered before the petitioner is called upon to

relocate, the issuance of these impugned Notices will be a mere formality.

4. As such, this Court ***disposes of*** this petition directing the third respondent to extend an opportunity of hearing to the petitioner's representative and pass a reasoned order on the petitioner's cause against the notice to relocate examining each one of the grounds as canvassed. It would be needless to observe that the petitioner cannot be called upon to relocate until a reasoned decision is communicated to the petitioner.

Sd/-
(B M SHYAM PRASAD)
JUDGE

SA
Ct:sr