



CNR: KAHC010628662026

NC: 2026:KHC:51589
WP No. 28886 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 28886 OF 2026 (GM-RES)

BETWEEN:

1. SRI. RAVINDRA K. HAVANNAVAR,
S/O. LATE KUBERAPPA
AGED ABOUT 72 YEARS
RESIDING AT NO. A-102
GAANA RIDDI APARTMENT
PADMA UPADHYA LAYOUT
NAGADEVANAHALLI
JNANABHARATHI POST
BENGALURU - 560056.
2. SRI. H.B. RAVISHANKAR
S/O. LATE C. BASAVARAJA URS,
AGED 70 YEARS,
RESIDING AT NO.102/3,
6TH MAIN, 20TH CROSS, CHBS LAYOUT,
VIJAYANAGAR,
BENGALURU - 560040.
3. SRI. MANJUNATHA R. DESHPANDE
S/O. RAGHAVENDRA DESHPANDE
AGED ABOUT 45 YEARS
RESIDING AT NO. 7/57,
4TH CROSS BEML III STAGE,
GATTIGERE RAJARAJESHWARI
BENGALURU - 560098.
4. SRI. NAGABHUSHANA. K
S/O. K. HANUMANTHA RAO





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AGED ABOUT 63 YEARS
RESIDING AT NO. 128,
DAVALAGIRI 6TH CROSS,
2ND MAIN 2ND STAGE,
NANDINI LAYOUT,
BENGALURU - 560059

5. SRI. SANJEEV KUMAR CHETTI
S/O. AYYANNA CHETTI
AGED ABOUT 51 YEARS
RESIDING AT NO. 310,
7TH MAIN 14TH A MAIN,
RPC LAYOUT VIJAYANAGAR
2ND STAGE BENGALURU - 560040
6. SMT. GEETHA SRIDHAR
W/O. SRIDHAR,
AGED ABOUT 55 YEARS
RESIDING AT NO. 956,
9TH CROSS 17TH MAIN,
WEST OF CHORD ROAD
BENGALURU - 560086.
7. SMT. TAISY BEN
W/O. LATE S.J. BENEDICT
AGED ABOUT 76 YEARS
RESIDING AT NO. 360,
8TH MAIN, 2ND STAGE,
MALLESWARAM WEST
BENGALURU - 560003
8. SMT. K.H. SHOBHA
W/O. RAMESH T. KULKARNI
AGED ABOUT 49 YEARS
RESIDING AT NO. 81,
TEACHERS COLONY
NAGARABHAVI CIRCLE
OPP. SBI, BENGALURU - 560072.
9. SMT. K.J. MANJULA DEVI



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D/O. K.H. JAYANNA
AGED ABOUT 62 YEARS
RESIDING AT NO. 543
C/O. PHANEENDRA BABU
7TH MAIN ROAD, VIJAYANAGAR
BENGALURU - 560072.

10. SRI. T. MUKUNDA,
S/O. LATE A. THIPPA REDDY
AGED ABOUT 52 YEARS
RESIDING AT NO. OPP.
BED COLLEGE CHALLAKERE TOLL GATE
CHITRADURGA-577501
11. SRI. VENUMADHAV KOUJALAGI,
S/O. NARAYANA RAO KOUJALAGI
AGED ABOUT 50 YEARS
RESIDING AT NO. 199,
APARTMENT NO. G-2,
4TH MAIN, 11TH CROSS, BEML LAYOUT
BASAVESHWARNAGAR
BENGALURU - 560079
12. SRI. P.R. PRADEEP KUMAR,
S/O. P.N. RAMU
AGED ABOUT 53 YEARS
RESIDING AT NO. 1375,
2 ND CROSS
CHAMUNDESHWARINAGAR
MANDYA 571401.
13. SRI. M.S. SURESH
S/O. SHANKARANARAYANAN
AGED ABOUT 58 YEARS
R/A NO. S-36,KIRLOSKAR COLONY
3 RD STAGE, 4TH BLOCK
BASAVESHWARNAGAR
BENGALURU - 560079
REPRESENTED BY GPA HOLDER
T.S. RAJAN



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S/O. LATE R. SUBRAMANIAN
AGED ABOUT 53 YEARS

14. SRI. T.G. NATESH
S/O. LATE GOPALA GOWDA T.M.
AGED ABOUT 43 YEARS
RESIDING AT NO. 19,
5TH MAIN 1 ST CROSS,
SHANKAR NAGAR MAHALAKSHMI LAYOUT
BENGALURU - 560086
15. SRI. T. SRINIVAS
S/O. LATE R. SUBRAMANIAN
AGED ABOUT 56 YEARS
RESIDING AT NO. S-36,
KIRLOSKAR COLONY 3 RD STAGE,
4TH BLOCK BASAVESHWARANAGAR
BENGALURU - 560056.
16. SRI. P.K. DHANAK SHIRUR
S/O. KRISHNACHARYA DHANAK SHIRUR
AGED ABOUT 59 YEARS
RESIDING AT DHATHRI,
NO. 21, 13TH MAIN, 9TH BLOCK
NAGARABHAVI 2ND STAGE
BENGALURU - 560072.
17. SMT. GEETHA RAVISHANKAR,
W/O. H.B. RAVISHANKAR
AGED 63 YEARS,
RESIDING AT NO.102/3,
6TH MAIN, 20TH CROSS,
CHBS LAYOUT, VIJAYANAGAR,
BENGALURU - 560040.
18. SRI. MOHAN REDDY,
S/O LATE M. THIMMA REDDY,
AGED ABOUT 64 YEARS,
RESIDING AT NO.124,
3RD MAIN ROAD, HVR LAYOUT,



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19. SMT. K.S. NALINI,
W/O KRISHNA,
AGED ABOUT 58 YEARS
RESIDING AT NO.15
SRIKANTESHWARA NILAYA
1ST MAIN, 11TH A CROSS
PRASHANTHNAGAR
BENGALURU - 560 079.
20. SMT. PREMA,
W/O H.N DEVARAJU
AGED ABOUT 59 YEARS
RESIDING AT NO.3/14,
KALYANI, 15TH MAIN,
4TH BLOCK, NANDHINI LAYOUT,
BENGALURU - 560096.
21. SMT. LALITHABAI,
W/O SRI. B.K NAGESH RAO
AGED ABOUT 52 YEARS,
RESIDING AT NO.200,
ALLAMA PRABHU ROAD
GAVIPURAM EXTENSION
NEAR KAMALA NURSING HOME,
BENGALURU - 560 018.
22. SRI. D. YASHWANTH RAO
S/O LATE DASHARATH RAO
AGED ABOUT 47 YEARS
RESIDING AT NO. A/15,
1ST CROSS 1ST FLOOR,
GEF BLOCK, WEST OF CHORD ROAD,
INDUSTRIAL TOWN,
RAJAJINAGAR, BENGALURU-560 044.
23. SRI. NAGENDRA J.
S/O LATE JOGAPPA
AGED ABOUT 55 YEARS



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RESIDING AT NO.27/2,
1ST MAIN ROAD, PALACE GUTTAHALLI,
BENGALURU - 560 003.

24. SMT. SUMALATHA RAIKAR,
W/O SRI. A. RAIKAR
AGED ABOUT 60 YEARS,
RESIDING AT NO.10, 6TH CROSS,
MALLESWARAM BENGALURU - 560 003.
25. SRI. UDAY NARAYANA RAO KOUJALGI,
S/O. NARAYANA RAO KOUJALGI
AGED ABOUT 61 YEARS,
RESIDING AT NO. 10/6,
GANESH NILAY,
13TH MAIN, 4E CROSS,
GIRINAGAR,
BENGALURU-560 050.
26. SRI. VENKATARAMANA. E
S/O. E. SUNDAR RAO
AGED ABOUT 56 YEARS
RESIDING AT 62, 2ND FLOOR,
LAKSHMINAGAR, OPP. SVK LAYOUT,
BASAVESHWARANAGAR,
3RD STAGE, BENGALURU - 560079.
27. SMT. MAMATHA
W/O SRI. MANJUNATH
AGED 54 YEARS,
R/AT NO.1633, 14TH CROSS,
1ST STAGE, CHANDRA LAYOUT,
NAGARABHAVI, BENGALURU - 560072.
28. SMT. PRIYA DARSHINI BABAJI
W/O ARUN KUMAR,
AGED ABOUT 39 YEARS,
RESIDING AT NO.363/1,
1ST A MAIN ROAD, UMASHANKAR NAGAR,
RANEBENNUR, HAVERI DISTRICT.



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29. SRI. UMASHANKAR
S/O RAVI KUMAR
AGED ABOUT 50 YEARS,
RESIDING AT NO.4,
YESHWANTHAPURA MAIN ROAD,
BIKASIPURA EXTENSION,
BENGALURU.
30. SMT. SUDHAMANI,
W/O SRI.K.R. SHANKAR,
AGED ABOUT 51 YEARS,
RESIDING AT KALLIGUNDI VILLAGE,
BOGADI HOBLI,
NAGAMANGALA TALUK,
MANDYA DISTRICT.
31. SRI. N. NARASIMHALU,
S/O SRIRAMULU NAIDU
AGED 65 YEARS,
RESIDING AT NO.4, 8TH CROSS,
J.C. NAGAR, MAHALAKSHMIPURAM
BENGALURU - 560086
32. SRI. K.V. PRASHANTH,
AGED 55 YEARS,
S/O K. VASUDEVA REDDY,
NO. B-22,2ND MAIN, 4TH CROSS,
KEB LAYOUT, BTM 1ST STAGE,
BENGALURU-560 029
33. SRI. JOHN MATHEW,
S/O V.V. JOHN AGED 50 YEARS,
NO.84, 6TH CROSS,
CAMBRIDGE LAYOUT,
BENGALURU-560 008.
34. SRI. H.N. GOPALA KRISHNA,
S/O LATE NARASIMHAIAH,
AGED 60 YEARS,
R/AT NO.3/14, (KALYANI)



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15TH MAIN,
4TH BLOCK, NANDINI LAYOUT,
BENGALURU-560 095.

35. SRI. L. RAMESH,
S/O LATE LAKSHMANA MURTHY,
AGED 59 YEARS, NO. 291,
10TH MAIN, MANJUNATHA NAGARA
BENGALURU-560 010.
36. SRI. B.C. DINESH
S/O LATE CHANDRASHEKAR,
NO. 2021, 12A CROSS,
2ND STAGE, VIJAYANAGAR,
BANGALORE-560 040.
37. DR. S. VENUGOPAL,
S/O SATHYANARAYANA
AGED 56 YEARS, NO.2, FIRST CROSS,
KARUNAJINAGAR,
PUDUCHERRY - 605008.
38. SRI. SUMAN KALKERI,
S/O KALKERI,
AGED 52 YEARS,
R/AT, NO.239, 10TH CROSS,
NAGARABHAVI, BANGALORE-560 072.
39. SMT. SUJATHA DAS GUPTA,
W/O DEVASHREE DAS
AGED 55 YEARS, R/AT NO.4,
1ST CROSS, BINNY LAYOUT,
3RD STAGE, BEHIND ATTHIGUPPE,
BANGALORE-560 040.
40. SRI. VINOD J. GOWDA,
S/O S. JAYARAMAN,
AGED 61 YEARS,
R/AT NO. 279, 4TH CROSS,
80 FEET ROAD, R.M.V. 2ND STAGE,



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...PETITIONERS

(BY SRI. ASHOK SESHAGIRI, ADVOCATE FOR
SRI. T SESHAGIRI RAO.,ADVOCATE)

AND:

1. THE COMPETENT AUTHORITY
FOR M/S. TGS CONSTRUCTIONS PVT. LTD.,
ASSISTANT COMMISSIONER,
BENGALURU SOUTH SUB-DIVISION,
KANDAYA BHAVAN, K.G. ROAD,
BENGALURU, 2ND FLOOR,
BENGALURU - 560 009.
2. M/S. TGS CONSTRUCTIONS PVT. LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
SMT. MANDEEP KAUR, NO.577/B,
II FLOOR, OUTER RING ROAD,
TEACHERS COLONY KORAMANGALA,
NEAR SILK BOARD, BENGALURU - 560 034.
3. SMT. MANDEEP KAUR
W/O. SACHIN NAIK,
NO.577/B,
II FLOOR, OUTER RING ROAD,
TEACHERS COLONY KORAMANGALA,
NEAR SILK BOARD, BENGALURU - 560 068.

...RESPONDENTS

(BY SRI. VEERESH R BUDIHAL.,ADVOCATE FOR R1)

THIS WP IS FILED UNDER ARTICLES 226 & 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
30.03.2023 PASSED BY THE XCI ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE, BENGALURU (CCH-92), IN MISC.
NO.438/2020, INsofar AS IT AFFECTS THE PETITIONERS



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RESPECTIVE SITES AND RIGHTS IN SY. NO.45/3 OF
GIDDADAKONENAHALLI VILLAGE.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present writ petition is filed seeking for the following
reliefs:

"a) Issue a writ of certiorari or any other appropriate writ, order or direction quashing the impugned order dated 30.03.2023 passed by the XCI Additional City Civil and Sessions Judge, Bengaluru (CCH-92), in Misc.No.438/2020, insofar as it affects the petitioners' respective sites and rights in Sy.No.45/3 of Giddadakonenahalli Village."

2. The petitioners who are the purchasers of sites under various registered sale deeds as articulated in paragraph No.7 of the writ petition are before this Court assailing the order dated 30.03.2022 passed in Misc.No.438/2020¹ by the XCI Additional City Civil and Sessions Judge, Bangalore (CCH-92)² (Annexure A to the writ petition), wherein the petition under Section 5(2) of the Karnataka Protection of Interest of

¹ Hereinafter referred as to 'impugned order'

² Hereinafter referred ad to 'Special Court'



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Depositors in Financial Establishments Act, 2004³ has been allowed.

3. It is the case of the petitioners that the sites purchased by the petitioners from part of Survey No.45/3 of Giddadakonenahalli Village, Yeshwanthpura Hobli, Bengaluru North Taluk.

4. Learned counsel for the petitioners submits that various sites holders had preferred appeals under Section 16 of the Act, assailing the impugned order and a Division Bench of this Court in the case of **Asha. N and other V.s Competent Authority and others**⁴ has allowed the said appeals, set aside the impugned order and remanded the matter to the Special Court for fresh consideration of the application filed under Section 5(2) of the Act. The order of a Division Bench reads as under:

"1.We have heard the learned counsel for the appellants and the learned counsel appearing for the Competent Authority.

2. Learned counsel for the appellants submits that the order passed by the Special Court on the application filed by the Competent Authority under

³ Hereinafter referred as to 'Act'

⁴ MFA.No.1341/2026 DD 14.07.2026, NC: 2026:KHC:35649-DB



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Section 5(2) of the Karnataka Protection of Interest of Depositors in Financial Establishments Act, 2004 (for short, "the KPIDFE Act"), is bad in law on various grounds.

- 3. It is contended that the application under Section 5(2) was filed after an inordinate delay. It is further contended that the appellants, who are the true owners of the property, were neither put on notice nor afforded an opportunity of hearing before the order was passed.*
- 4. Learned counsel for the appellants submits that the appellants have serious contentions on facts to be raised in the matter and that the matter may be remanded for fresh consideration by the Special Court after hearing the appellants as well.*
- 5. The learned counsel for the respondent-Competent Authority contends that the factum of the initial attachment was intimated to the public at large by way of a paper publication and that the interim order of attachment was also affixed to the property. It is further contended that, in terms of Section 12(3) of the KPIDFE Act, even if no notice is served, it is open to the affected parties to approach the Special Court and file their objections, if any.*
- 6. Having considered the contentions advanced, we notice that this case involves disputed questions of fact and that this is a fit case where the question as to whether the interim attachment in respect of the appellants' property is to be made absolute requires consideration by the Special Court after putting the appellants on notice.*
- 7. In the above view of the matter, the appeal is allowed. The impugned order is set aside. The application filed by the Competent Authority under Section 5(2) is remanded to the Special Court for fresh consideration.*



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8. Without waiting for any further notice, the parties shall appear before the Special Court on 30.07.2026.

9. It is made clear that it is only in view of the special facts of the instant case, the disputed questions of fact which rises herein that the matter is being remanded for fresh consideration, and this order shall not be treated as a precedent in other cases.

*All contentions of the parties are left open."
(emphasis supplied)*

5. It is clear from the order of the Division Bench that the very same order has been set aside in the said appeal.

6. Although, it is the vehement contention of the learned counsel for respondent No.1 - the Competent Authority that the said orders have been passed in an appeal filed under Section 16 of the Act and the said reliefs ought not be granted in the present writ petition, having regard to the fact that, the very same impugned order has already been set aside by the Division Bench as noticed above, the relief sought for by the petitioners in the present writ petition merits consideration.

7. It is also the contention of the learned counsel for respondent No.1 that, there is inordinate delay in filing the present writ petition in as much as impugned order was passed



on 30.03.2022 whereas the present writ petition is filed on 07.09.2026.

8. Learned counsel for the petitioners submits that various site holders have already approached the Special Court and impleading applications filed by them are being allowed.

9. It is pertinent to notice that the Division Bench had noted the appellants therein who were similarly placed as the petitioners herein acquired right, title and interest in respect of the properties purchased by them and they had not been afforded an opportunity for hearing before the impugned order was passed.

10. In view of the aforementioned, having regard to the fact that the impugned order dated 30.03.2022 passed in Misc.No.438/2020 has already been set aside by the Division Bench in the case of **Asha. N (supra)**, the question of once again setting aside the order does not arise. The application filed under Section 5(2) of the Act has already ordered to be re-considered. Hence, the petitioners herein are also relegated



to the proceedings before the Special Court for seeking proper reliefs.

11. It is submitted that the proceedings before the Special Court are listed on 23.09.2026. Hence, the petitioners shall appear before the Special Court on 23.09.2026 without requirement of any further notice / intimation in that regard. The grievances as articulated by the petitioners shall also be adjudicated by the Special Court.

12. The writ petition is ***disposed of*** in the aforementioned terms.

13. All questions of the parties on merits of the matter are kept open to be decided by the Special Court.

Digitally Signed by CHEPPUDIRA
MONNAPPA POONACHA

(C.M. POONACHA)
JUDGE