

B Marappa vs the State of Karnataka

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Court : Karnataka Orders

Decided On : Oct-31-2025

Judge : R. Nataraj

Appeal No. : WP/46846/2018

Appellant : B Marappa

Respondent : The State of Karnataka

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF OCTOBER, 2025 BEFORE THE
HON'BLE MR. JUSTICE R. NATARAJ WRIT PETITION NO. 46846 OF
2018 (LB-RES) BETWEEN:

1. B. MARAPPA

SINCE DEAD BY LR'S AS PER COURT ORDER DATED 28.03.2022
AMENDMENT CARRIED OUT 1(a) JAYALAKSHMAMMA W/O LATE B.
MARAPPA, AGED ABOUT 75 YEARS, 1(b) M. VINAYKUMAR S/O
LATE B. MARAPPA, AGED ABOUT 59 YEARS, 1(c) M. GEETHA D/O

LATE B. MARAPPA, Digitally AGED ABOUT 58 YEARS, signed by SUMA 1(d) M. VEENA Location: HIGH D/O LATE B. MARAPPA, COURT OF AGED ABOUT 46 YEARS, KARNATAKA ALL ARE RESIDING AT R/AT NO. S-231, PIPELINE ROAD, CHELOOR PALYA, HOSAHALLI, BANGALORE - 23. PETITIONERS (BY SRI. SANGAMESH G. PATIL, ADVOCATE) -2- AND:

1. THE STATE OF KARNATAKA BY ITS SECRETARY, DEPARTMENT OF URBAN DEVELOPMENT, M.S. BUILDING, BANGALORE - 01.

2. THE COMMISSIONER BBMP, BANGALORE - 560 001.

3. THE COMMISSIONER BDA, BANGALORE - 560 020.
RESPONDENTS

(BY SRI. B.BOPANNA, ADDITIONAL GOVERNMENT ADVOCATE FOR RESPONDENT NO.1; SRI ASHWIN S. HALADY, ADVOCATE FOR RESPONDENT NO.2; SRI SURAJ PATIL, ADVOCATE FOR RESPONDENT NO.3) THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENTS

TO CONSIDER THE CLAIM OF THE PETITIONER AND TO PASS ORDER

OR AWARD FOR THE LAND BEARING SY.NO.1 MEASURING 26,400 AND 13,200 SQ. FEET BELONGS TO THE PETITIONER; DIRECT THE RESPONDENTS TO ISSUE LICENSE/SANCTION TO THE PETITIONER TO PUT UP CONSTRUCTION FOR THE MARGIN LAND SITUATED IN BETWEEN MAIN ROAD AND SERVICE ROAD EXIST IN SY.NO.1 OF KEMPAPURA AGRAHARA, KASABA HOBLI, BANGALORE NORTH BELONGS TO THE PETITIONER.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER: CORAM: HON'BLE MR.

ORAL ORDER

The petitioner (since deceased) has sought for a writ in the nature of mandamus to direct the respondents to consider his claim and to pass an award for the land acquired in -3-

Sy. No.1 measuring 26400 Sq. ft. and 13200 Sq. ft. of Kempapura Agrahara, kasaba hobli, Bengaluru North Taluk. He has also sought for a direction to the respondents to issue him licence/sanction to put up construction on the land situate between the main road and service road that runs in the said Sy. No.1 of Kempapura Agrahara.

2. The petitioner contends that his predecessors were the owners of the land bearing Sy.No.231 of Kempapura

Agrahara, Bengaluru North Taluk. He claims that Bangalore Water Supply and Sewerage Board (BWSSB) had laid a pipeline in Sy.No.231 in the year 1962 and the remaining land on the western side of the pipeline was assigned as Sy.No.1 and measured 02 Acres 34 guntas. The respondent No.2 formed Vijayanagara main road in the land of the petitioner without

paying him any compensation. Likewise, some cross roads leading from the western side of the pipeline were also formed in Sy. No.1 measuring 01 Acre 28 guntas belonging to the petitioner and no compensation was paid to him. The respondent No.2 formed 13 feet road in the land of the petitioner in Sy. No.2. Then too no compensation was paid to -4- the petitioner. The petitioner alleges that the Bangalore Development Authority (BDA) had allotted five sites in his land measuring about 15 guntas without any acquisition in the year

1978. The petitioner claims that the respondent No.2 had

formed a main road and a service road in his land and between the service road and the main road, there was 10 guntas of vacant space which was not permitted to be utilized by the petitioner. The petitioner claims that he approached the

respondents seeking permission to construct a shop in the 10 guntas of land situate between main road and service road. However, the respondents did not take any decision. He claims that he submitted a representation dated 10.10.2018 with the respondent No.2 seeking for compensation for acquisition of 13200 feet and 26400 feet of land in Sy Nos.1 and 2 of Kempapura Agrahara, Bengaluru North Taluk and that the said representation is not considered till date. Hence, he has sought for a direction to the respondents to consider his claim for compensation in respect of acquisition of his land bearing Sy. No.1 measuring 26400 Sq. ft. and 13200 Sq. ft. and also permit him to put up construction on the land situate between

-5- the main road and the service road that runs in Sy. No.1 of Kempapura Agrahara, Kasaba Hobli, Bengaluru North Taluk.

3. If the petitioner has submitted a representation to the respondent No.2, he is bound to consider the same. The very fact that the representation has remained outstanding for

nearly 7 years is not justified. Under the circumstances, without expressing any opinion on the merits of the claim of the petitioner, this writ petition stands disposed off directing the

respondent No.2 to consider the representation of the petitioner in accordance with law and pass appropriate orders within a period of three months from the date of receipt of a certified copy of this order. In order to enable respondent No.2 to consider the representation, the legal heirs of the petitioner shall furnish a copy of the representation along with a copy of this order to the respondent No.2, who shall take appropriate decision within the time frame mentioned above.

Sd/- (R. NATARAJ) JUDGE SMA/List No.: 1 SI No.: 64

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