

Prashanth Shet vs the Commissioner

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Court : Karnataka Orders

Decided On : Feb-01-2025

Judge : N S Sanjay Gowda

Appeal No. : WP/30986/2024

Appellant : Prashanth Shet

Respondent : The Commissioner

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF FEBRUARY, 2025 BEFORE THE
HON'BLE MR JUSTICE N S SANJAY GOWDA WRIT PETITION NO.
30986 OF 2024 (LB-RES) BETWEEN:

1. PRASHANTH SHET S/O U SRINIVAS SHET, AGED ABOUT 50
YEARS, NO. 9-2-6, GOPALAKRISHNA ACHARYA LANE, TENKAPETE,
UDUPI PETITIONER (BY SRI. ANIL SHEKAR K S., ADVOCATE) AND:

1. THE COMMISSIONER UDUPI URBAN DEVELOPMENT,
AUTHORITY, BANNAJE, UDUPI 576 103.

2. THE COMMISSIONER UDUPI CITY MUNICIPALY, UDUPI - 576 101.

Digitally signed by

KIRAN 3. VIDYAPRASANNA THIRTHA SWAMIJIKUMAR R

HIGH COURT OF SUBRMANYA MATA, KUKKE SUBRMANYA, KARNATAKA SULLIA TALUK, SUBRMANYA, DAKSHINA KANNADA DISTRICT - 574238. RESPONDENTS (BY SRI. ABDULLA T I., ADVOCATE FOR R-2; SRI.K.PRASAD., ADVOCATE FOR R-1; SRI.S.K., ACHARYA., ADVOCATE FOR R-3) THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA., PRAYING TO ISSUE A WRIT OF -2- MANDAMUS OR ANY OTHER WRIT OR DIRECTION TO 2ND RESPONDENT TO CONSIDER THE REPRESENTATIONS OF THE PETITIONER DATED 09.09.2024 ANNEXURE-N, ETC. THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN B GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER: CORAM: HON'BLE MR JUSTICE N S SANJAY GOWDA

ORAL ORDER

1. The prayer in this Writ Petition is to consider the

representation dated 09.09.2024 and also to issue a direction to respondents No.1 and 2 to demolish the portion of the unauthorized illegal construction put up by respondent No.3 as per Annexure-N.

2. Learned counsel for the Municipality submits that

pursuant to the order dated 19.03.2024, passed by this Court in W.P. No.2371/2024 and connected matter, a mahazar has also been drawn up and necessary steps are being taken thereafter.

3. Learned counsel for respondent No.3 submits that the petitioner is trying to negotiate a settlement and the possibility of resolving the matter amicably. -3-

4. Be that as it may, since the learned counsel for

Municipality submits that necessary action is being taken in this regard, the prayer sought for in this Writ Petition have already granted by the respondent, and therefore, there is no need to issue any further direction.

5. The statement of the Municipality is taken on record.

6. This Writ Petition is disposed of.

7. It is needless to state that respondent No.3 would be entitled to state before the Municipality that she would remove the deviations and enter into a settlement with the petitioner.

8. In view of the disposal of the petition, all pending interlocutory applications, if any, stand disposed of. Sd/- (N S SANJAY GOWDA) JUDGE HNM, List No.: 1 Sl No.: 75

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