

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 04TH DAY OF AUGUST, 2021

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BEFORE

THE HON'BLE MR. JUSTICE M. NAGAPRASANNA

WRIT PETITION No.4601/2020 (LB - BMP)

C/W.

WRIT PETITION No.55442/2015 (LB - BMP)

WRIT PETITION No.55944/2015 (LB - BMP)

WRIT PETITION No.55945/2015 (LB - BMP)

WRIT PETITION No.57443/2015 (LB - BMP)

WRIT PETITION No.57920/2015 (LB - BMP)

WRIT PETITION No.7538/2016 (LB - BMP)

WRIT PETITION No.10164/2016 (LB - BMP)

WRIT PETITION No.12535/2016 (LB - BMP)

WRIT PETITION No.52014/2016 (LB - BMP)

WRIT PETITION No.8204/2017 (LB - BMP)

WRIT PETITION No.11065/2017 (LB - BMP)

WRIT PETITION No.12656/2017 (LB - BMP)

WRIT PETITION No.13588/2017 (LB - BMP)

WRIT PETITION No.14530/2017 (LB - BMP)

WRIT PETITION No.16461/2017 (LB - BMP)

WRIT PETITION No.17164/2017 (LB - BMP)

WRIT PETITION No.17436/2017 (LB - BMP)

WRIT PETITION No.37473/2017 (LB - BMP)

WRIT PETITION No.38743/2017 (LB - BMP)

WRIT PETITION No.47077/2017 (LB - BMP)

WRIT PETITION No.58170/2017 (LB - BMP)

WRIT PETITION No.6381/2018 (LB - BMP)

WRIT PETITION No.9028/2018 (LB - BMP)

WRIT PETITION No.9581/2018 (LB - BMP)

WRIT PETITION No.11868/2018 (LB - BMP)

WRIT PETITION No.12522/2018 (LB - BMP)

WRIT PETITION No.13143/2018 (LB - BMP)

WRIT PETITION No.13465/2018 (LB - BMP)

WRIT PETITION No.14265/2018 (LB - BMP)
WRIT PETITION No.14307/2018 (LB - BMP)
WRIT PETITION No.16282/2018 (LB - BMP)
WRIT PETITION No.16990/2018 (LB - BMP)
WRIT PETITION No.17048/2018 (LB - BMP)
WRIT PETITION No.17262/2018 (LB - BMP)
WRIT PETITION No.17350/2018 (LB - BMP)
WRIT PETITION No.17352/2018 (LB - BMP)
WRIT PETITION No.17356/2018 (LB - BMP)
WRIT PETITION No.18297/2018 (LB - BMP)
WRIT PETITION No.18530/2018 (LB - BMP)
WRIT PETITION No.23726/2018 (LB - TAX)
WRIT PETITION No.25545/2018 (LB - BMP)
WRIT PETITION No.25850/2018 (LB - BMP)
WRIT PETITION No.27638/2018 (LB - BMP)
WRIT PETITION No.28692/2018 (LB - BMP)
WRIT PETITION No.29867/2018 (LB - BMP)
WRIT PETITION No.30066/2018 (LB - BMP)
WRIT PETITION No.30415/2018 (LB - BMP)
WRIT PETITION No.30867/2018 (LB - BMP)
WRIT PETITION No.33013/2018 (LB - BMP)
WRIT PETITION No.33406/2018 (LB - BMP)
WRIT PETITION No.34265/2018 (LB - BMP)
WRIT PETITION No.35728/2018 (LB - BMP)
WRIT PETITION No.36017/2018 (LB - BMP)
WRIT PETITION No.41121/2018 (LB - BMP)
WRIT PETITION No.41409/2018 (LB - BMP)
WRIT PETITION No.42748/2018 (LB - BMP)
WRIT PETITION No.45817/2018 (LB - BMP)
WRIT PETITION No.52417/2018 (LB - BMP)
WRIT PETITION No.53220/2018 (LB - BMP)
WRIT PETITION No.57548/2018 (LB - BMP)
WRIT PETITION No.57893/2018 (LB - BMP)
WRIT PETITION No.15/2019 (LB - BMP)
WRIT PETITION No.59/2019 (LB - BMP)
WRIT PETITION No.529/2019 (LB - BMP)
WRIT PETITION No.1281/2019 (LB - BMP)
WRIT PETITION No.1705/2019 (LB - BMP)
WRIT PETITION No.7040/2019 (LB - BMP)
WRIT PETITION No.9699/2019 (LB - BMP)

WRIT PETITION No.9940/2019 (L - RES)
WRIT PETITION No.11063/2019 (LB - BMP)
WRIT PETITION No.11386/2019 (LB - BMP)
WRIT PETITION No.13495/2019 (LB - BMP)
WRIT PETITION No.14266/2019 (LB - BMP)
WRIT PETITION No.18873/2019 (LB - BMP)
WRIT PETITION No.19335/2019 (LB - BMP)
WRIT PETITION No.19746/2019 (LB - BMP)
WRIT PETITION No.21988/2019 (LB - BMP)
WRIT PETITION No.22316/2019 (LB - BMP)
WRIT PETITION No.22389/2019 (LB - BMP)
WRIT PETITION No.22621/2019 (LB - BMP)
WRIT PETITION No.23595/2019 (LB - BMP)
WRIT PETITION No.23888/2019 (LB - BMP)
WRIT PETITION No.24906/2019 (LB - BMP)
WRIT PETITION No.25145/2019 (LB - RES)
WRIT PETITION No.25167/2019 (LB - BMP)
WRIT PETITION No.25459/2019 (LB - BMP)
WRIT PETITION No.25462/2019 (LB - BMP)
WRIT PETITION No.25496/2019 (LB - BMP)
WRIT PETITION No.27756/2019 (LB - BMP)
WRIT PETITION No.28990/2019 (LB - BMP)
WRIT PETITION No.28992/2019 (LB - BMP)
WRIT PETITION No.29271/2019 (LB - BMP)
WRIT PETITION No.29296/2019 (LB - BMP)
WRIT PETITION No.29578/2019 (LB - BMP)
WRIT PETITION No.30168/2019 (LB - BMP)
WRIT PETITION No.38063/2019 (LB - BMP)
WRIT PETITION No.38832/2019 (LB - BMP)
WRIT PETITION No.39208/2019 (LB - BMP)
WRIT PETITION No.41698/2019 (LB - BMP)
WRIT PETITION No.42396/2019 (LB - BMP)
WRIT PETITION No.44811/2019 (LB - BMP)
WRIT PETITION No.46939/2019 (LB - BMP)
WRIT PETITION No.50186/2019 (LB - BMP)
WRIT PETITION No.50280/2019 (LB - BMP)
WRIT PETITION No.50442/2019 (LB - BMP)
WRIT PETITION No.50652/2019 (LB - BMP)
WRIT PETITION No.51603/2019 (LB - BMP)
WRIT PETITION No.51825/2019 (LB - BMP)

WRIT PETITION No.52084/2019 (LB - BMP)
WRIT PETITION No.52669/2019 (LB - BMP)
WRIT PETITION No.52682/2019 (LB - BMP)
WRIT PETITION No.135/2020 (LB - BMP)
WRIT PETITION No.388/2020 (LB - BMP)
WRIT PETITION No.3771/2020 (LB - BMP)
WRIT PETITION No.4595/2020 (LB - BMP)
WRIT PETITION No.5087/2020 (LB - BMP)
WRIT PETITION No.5758/2020 (LB - BMP)
WRIT PETITION No.6413/2020 (LB - BMP)
WRIT PETITION No.6633/2020 (LB - BMP)
WRIT PETITION No.7454/2020 (LB - BMP)
WRIT PETITION No.7895/2020 (LB - BMP)
WRIT PETITION No.7949/2020 (LB - BMP)
WRIT PETITION No.7973/2020 (LB - BMP)
WRIT PETITION No.8026/2020 (LB - BMP)
WRIT PETITION No.8133/2020 (LB - BMP)
WRIT PETITION No.8538/2020 (LB - BMP)
WRIT PETITION No.8540/2020 (LB - BMP)
WRIT PETITION No.8697/2020 (LB - BMP)
WRIT PETITION No.8831/2020 (LB - BMP)
WRIT PETITION No.8849/2020 (LB - BMP)
WRIT PETITION No.8984/2020 (LB - BMP)
WRIT PETITION No.8993/2020 (LB - BMP)
WRIT PETITION No.9421/2020 (LB - BMP)
WRIT PETITION No.11152/2020 (LB - BMP)
WRIT PETITION No.11163/2020 (LB - BMP)
WRIT PETITION No.11307/2020 (LB - BMP)
WRIT PETITION No.12570/2020 (LB - BMP)
WRIT PETITION No.12576/2020 (LB - BMP)
WRIT PETITION No.13116/2020 (LB - BMP)

IN WRIT PETITION No.4601/2020**BETWEEN**

1. MR. SUNDERAM SHETTY
AGED ABOUT 70 YEARS
SON OF MR.K.MANJAYYA SHETTY.
2. MR.RAHUL NARAYAN SHETTY
AGED ABOUT 31 YEARS
SON OF MR PRASANNA KUMAR SHETTY

BOTH ARE RESIDING AT NO.19
VICTORIA ROAD,
BENGALURU – 560 047.

3. SMT. NEELAMMA
AGED ABOUT 56 YEARS
WIFE OF LATE
SRI K.G.NARASIMHA REDDY.
4. SRI K.N.VENKATESHA REDDY
AGED ABOUT 34 YEARS
SON OF LATE SRI K.G.NARASIMHA REDDY

BOTH ARE RESIDING AT
NO.1855, 25TH 'A' CROSS ROAD,
23RD MAIN ROAD, SECTOR-II
H.S.R. LAYOUT
BENGALURU – 560 102.

ALL ARE REPRESENTED BY THEIR GPA HOLDER
M/S BREN CORPORATION
(FORMERLY KNOWN AS M/S SJR ENTERPRISES)
A PROPRIETARY CONCERN
HAVING ITS OFFICE AT PLOT NO.61,
3RD FLOOR, BALAVANA,
5TH 'A' BLOCK, KORAMANGALA,
KORAMANGALA

BENGALURU -560 095
REPRESENTED BY ITS SOLE PROPRIETOR
MR J.BOOPEESH REDDY.

5. MR.J.BOOPEESH REDDY
AGE 47 YEARS
S/O S.JAYARAMA REDDY,
NO.61, 3RD FLOOR
5TH 'A' BLOCK, KORAMANGALA,
BENGALURU – 560 095.

... PETITIONERS

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR.AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. THE BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU – 560 002
REPRESENTED BY ITS COMMISSIONER.
3. THE JOINT DIRECTOR
TOWN PLANNING (SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE DEMAND NOTICE DATED 18.02.2020 AT ANN-X-G
ISSUED BY THE R-3 ONLY IN SO FAR AS THE DEMAND OF

RS.77,73,818/- TOWARDS THE GST AT 18 PERCENT ON
THE GROUND RENT AT RS.13,99,287/- SCRUTINY FEE
AND ETC.,

IN WRIT PETITION No.55442/2015

BETWEEN

SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT 1956
AND HAVING ITS REGISTERED AND
CORPORATE OFFICE AT
SOBHA, SARJAPUR MARTHAHALLI
OUTER RING ROAD (ORR), DEVERABEESANAHALLI
BELLANDUR POST, BENGALURU – 560 103
REPRESENTED BY ITS AUTHORISED SIGNATORY
MRS V PADMAVATHI
AGED ABOUT 39 YEARS

... PETITIONER

(BY SRI KEMPEGOWDA FOR M/S. ANUP S. SHAH
LAW FIRM, ADVOCATES)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR VIKAS SOUDHA
DR. AMBEDKAR VEEDHI,
BENGALURU - 560001
2. BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002
REPRESENTED BY ITS COMMISSIONER
3. JOINT DIRECTOR
TOWN PLANNING (SOUTH)

BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V., AND SMT SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE DATED 05.11.2015 AT ANNEXURE - A ISSUED BY R- 3; DIRECT THE RESPONDENTS TO ISSUE OCCUPANCY CERTIFICATE AS SOUGHT FOR BY PETITIONER VIDE LETTER DTD.3.8.2015 AT ANNEX-AA WITHOUT INSISTING FOR GROUND RENT ETC.

IN WRIT PETITION No.55944/2015

BETWEEN

M/S SOBHA HIGHRISE VENTURES PRIVATE LIMITED
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956
AND HAVING ITS OFFICE AT,
SARJAPUR-MARTHALLI OUTER RING ROAD (ORR),
DEVARABEESANAHALLI, BELLANDUR POST,
BENGALURU - 560 103
REPRESENTED BY ITS AUTHORISED SIGNATORY
MRS V PADMAVATHI

... PETITIONER

(BY SRI KEMPEGOWDA FOR M/S. ANUP S. SHAH LAW
FIRM, ADVOCATES)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKASA SOUDHA,
AMBEDKAR VEEDHI, BENGALURU - 560001

2. BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002
REPRESENTED BY ITS COMMISSIONER
3. JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE
MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002
... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE DEMAND NOTICE DTD:4.11.2015
(ANNEXURE-A) ISSUED BY R-3 TO THE EXTENT OF
RS.25,91,362/- CLAIMED TOWARDS GROUND RENT ETC.

IN WRIT PETITION No.55945/2015

BETWEEN

M/S. SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT,1956
AND HAVING ITS REGISTERED AND
CORPORATE OFFICE AT,
"SOBHA" SARJAPUR-MARTHAHALLI
OUTER RING ROAD (ORR)
DEVERABEESANAHALLI,
BELLANDUR POST,
BENGALURU - 560 103
REPRESENTED BY ITS AUTHORISED SIGNATORY,
MRS V. PADMAVATHI

... PETITIONER

(BY SRI KEMPEGOWDA FOR M/S. ANUP S. SHAH LAW
FIRM, ADVOCATES)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001
2. BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU - 560 002
REPRESENTED BY ITS COMMISSIONER
3. JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU - 560 002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE DEMAND NOTICE DTD:04.11.2015
(ANENXURE-A) ISSUED BY R-3 TO THE EXTENT OF
RS.17,67,560/- CLAIMED TOWARDS GROUND RENT ETC.

IN WRIT PETITION No.57443/2015

BETWEEN

SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER,

THE COMPANIES ACT, 1956 AND HAVING OFFICE AT,
SARJAPUR - MARATHAHALLI OUTER RING ROAD (ORR),
DEVARABEESANAHALLI, BELLANDUR POST,
BENGALURU - 560 103.
REPRESENTED BY ITS AUTHORISED SIGNATORY,
MRS. V.PADMAVATHI.

... PETITIONER

(BY SRI KEMPEGOWDA FOR M/S. ANUP S. SHAH LAW
FIRM, ADVOCATES)

AND

1. STATE OF KARNATAKA
REPRESENTED BY THE PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001.

2. BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU - 560 002.
REPRESENTED BY ITS COMMISSIONER.

3. JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU - 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE IMPUGNED CIRCULAR DTD: 22.8.2014
(ANNEXURE-B) ISSUED BY R-2; QUASH THE DEMAND
NOTICE DTD: 4.11.2015 (ANNEXURE-A) ISSUED BY R-3 TO
THE EXTENT OF DEMAND RAISED FOR RS.8,68,087/-
TOWARDS GROUND RENT AND RS.2,81,02,500/-

TOWARDS MARKET VALUE OF PARK AND OPEN SPACE
ETC.

IN WRIT PETITION No.57920/2015

BETWEEN

1. SMT. LATHA K
W/O LATE T K RAMESH
AGED ABOUT 43 YEARS,
2. SRI RONAK R
S/O LATE T K RAMESH
AGED ABOUT 23 YEARS,
3. SRI R DHARSHAN
S/O LATE T K RAMESH
AGED ABOUT 18 YEARS,

ALL ARE RESIDING AT NO.899/90,
MARUTHI NILAYA,
MARUTHINAGAR, KOGILU ROAD
YELAHANKA ROAD, BENGALURU - 560064

4. SRI Y A MOHAN
S/O SRI ANJINAPPA,
AGED ABOUT 26 YEARS,
RESIDING AT NO.469,
MAHESHWARI TEMPLE STREET,
YELAHANKA OLD TOWN,
BENGALURU – 560 064

PETITIONER NOS.1 TO 4 ARE REPRESENTED
BY THEIR POWER OF ATTORNEY HOLDER:-

SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED LIMITED)
A COMPANY INCORPORATED UNDER,
THE COMPANIES ACT 1956

AND HAVING OFFICE AT
SARJAPUR-MARTHAHALLI
OUTER RING ROAD (ORR),
DEVARABEESANAHALLI, BELLANDUR POST,
BENGALURU - 560103
REPRESENTED BY ITS AUTHORISED SIGNATORY
MRS V PADMAVATHI

5. SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT 1956
AND HAVING OFFICE AT
SARJAPUR-MARTHAHALLI
OUTER RING ROAD (ORR),
DEVARABEESANAHALLI, BELLANDUR POST,
BENGALURU - 560103

REPRESENTED BY ITS AUTHORISED SIGNATORY
MRS V PADMAVATHI

... PETITIONERS

(BY SRI KEMPEGOWDA FOR M/S. ANUP S. SHAH LAW
FIRM, ADVOCATES)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEEDHI, BENGALURU - 560001
2. BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002
REPRESENTED BY ITS COMMISSIONER
3. JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE

ANNEXE BUILDING, N R SQUARE,
BENGALURU - 560002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE IMPUGNED CIRCULAR DT.22.8.2014 (ANNX-B)
ISSUED BY R-2; QUASH THE DEMAND NOTICE
DT.21.11.2015 (ANNX-A) ISSUED BY THE RESPONDENT -
BBMP, SO FAR AS IT RELATES TO DEMAND OF
RS.30,89,271/- MADE TOWARDS FOR GROUND RENT AND
RS.3,56,75,200/- MADE TOWARDS PARK AND OPEN
SPACE CHARGES ETC.

IN WRIT PETITION No.7538/2016

BETWEEN

M/S BHARTIYA CITY DEVELOPERS PRIVATE LIMITED
(ERSTWHILE, ZIGMA LAND DEVELOPERS PVT LTD)
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE AT:
100/1, RICHMOND ROAD
BANGALORE-560025
REPRESENTED BY ITS AUTHORISED SIGNATORY
MR SHAMA SUNDER R J

... PETITIONER

(BY SRI KEMPEGOWDA, ADVOCATE FOR
SRI ANUP S SHAH LAW FIRM, ADVOCATES)

AND

1 . STATE OF KARNATAKA

REPRESENTED BY THE PRINCIPAL SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA
AMBEDKAR VEEDHI
BANGALORE-560001

2. BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE
BANGALORE-560002
REPRESENTED BY ITS COMMISSIONER

3 . JOINT DIRECTOR
TOWN PLANNING(NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE
BANGALORE-560002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R1,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R2 & R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE DEMAND NOTICE DT.22.1.2016 (ANNX-A)
ISSUED BY R-3 SO FAR AS IT RELATES TO CLAIM MADE
FOR PAYMENT OF GROUD RENT IS CONCERNED.

IN WRIT PETITION No.10164/2016

BETWEEN

SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER,
THE COMPANIES ACT, 1956
AND HAVING ITS OFFICE AT,
SARJAPUR-MARTHAHALLI

OUTER RING ROAD (ORR)
DEVARABESANAHALLI,
BELLANDUR POST,
BENGALURU – 560 103
REPRESENTED BY ITS
AUTHORISED SIGNATORY
MRS. V.PADMAVATHI.

... PETITIONER

(BY SRI SANJAY NAIR, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU – 560 002
REPRESENTED BY ITS COMMISSIONER.
3. JOINT DIRECTOR
TOWN PLANNING (SOUTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
ANNEXE BUILDING, N.R.SQUARE,
BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA. FOR R1
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE IMPUGNED CIRCULAR DTD: 22.8.2014
(ANNEXURE-B) ISSUED BY THE R-2; QUASH THE DEMAND
NOTICE DTD: 4.2.2016 (ANNEXURE-A) ISSUED BY THE R-3

TO THE EXTENT OF DEMAND RAISED FOR RS.25,70,015/-
TOWARDS GROUND RENT AND RS.3,84,36,000/-
TOWARDS 10% OF MARKET VALUE OF SCHEDULE
PROPERTY TOWARDS PARKS AND OPEN SPACES AND
ETC.

IN WRIT PETITION No.12535/2016

BETWEEN

SMT.H.G.SHEELA
W/O R. NAGARAJ
AGED ABOUT 47 YEARS,
NO.80, 1ST CROSS, 2ND MAIN,
DEFENCE COLONY,
BENGALURU – 560 038.

... PETITIONER

(BY SRI SRINIVASA MURTHY L.K., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA, BENGALURU – 560 001.
2. THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.
3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH),
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY R-2 COMMISSIONER DATED 04.09.2015 LEVYING FEES FOR ISSUE OF I.T/ B.T. BUILDING LICENSE / SANCTION PLAN AT ANNEX-H AND THE DEMAND NOTICE ISSUED BY R-2 COMMISSIONER DATED 18.02.2016 AT ANNEX-G AND ETC.,

IN WRIT PETITION No.52014/2016

BETWEEN

M/S SOBHA LTD
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956
AND HAVING ITS REGISTERED AND CORPORATE OFFICE
AT "SOBHA", SARJAPUR-MARTHALLI, OUTER RING
ROAD (ORR),
DEVARABEESANAHALLI, BELLANDUR POST,
BANGALORE 560103.
REPRESENTED BY ITS AUTHORISED SIGNATORY,
MRS.V.PADMAVATHI

... PETITIONER

(BY SRI KEMPEGOWDA, ADVOCATE FOR
SRI ANUP S SHAH LAW FIRM, ADVOCATES)

AND

1 . STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA
AMBEDKAR VEEDHI,
BANGALORE-560 001.

- 2 . BRUHAT BANGALORE MAHANAGARA PALIKE
N.R. SQUARE,
BANGALORE 560 002
REPRESENTED BY ITS COMMISSIONER.

- 3 . JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N.R. SQUARE,
BANGALORE 560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R2 & R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE DEMAND NOTICE DATED 19.09.2016 AT
ANNEX-A ISSUED BY R-3 TO THE EXTENT OF
RS.1,36,95,210/- CLAIMED TOWARDS GROUND RENT &
ETC.,

IN WRIT PETITION No.8204/2017

BETWEEN

M/S BRIDGE ENTERPRISES LTD.,
A COMPANY INCORPORATED UNDER THE
COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE AT:
29TH & 30TH FLOOR, "WORLD TRADE CENTER
BANGALORE",
BRIGADE GATEWAY CAMPUS,
NO.26/1, DR. RAJKUMAR ROAD,
MALLESWARAM-RAJAJINAGAR,
BANGALORE 560 055,
REPRESENTED BY ITS
DEPUTY GENERAL MANAGER-LEGAL
SRI. UDAYA KUMAR.A

... PETITIONER

(BY SRI ZULFIKIR KUMAR SHAFI AND
SRI S.LAKSHMINARAYANA REDDY, ADVOCATES)

AND

1. THE STATE OF KARNATAKA
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKASA SOUDHA,
BENGALURU – 560 001
REPRESENTED BY ITS SECRETARY.
2. BRUHATH BENGALURU MAHANAGARA PALIKE
N.R. SQUARE, BENGALURU – 560 002
REPRESENTED BY ITS COMMISSIONER.
3. THE JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHATH BENGALURU MAHANAGARA PALIKE
BBMP ANNEX BUILDING,
N.R. SQUARE, BENGALURU – 560 002.
4. THE JOINT COMMISSIONER
(MAHADEVAPURA RANGE)
BRUHATH BENGALURU MAHANAGARA PALIKE
BENGALURU – 560 047.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 TO R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
SET ASIDE THE DEMAND NOTICE DTD:7.2.2017 ISSUED
BY R-3, TO THE EXTENT OF DEMANDING THE
PETITIONER TO PAY AN AMOUNT OF RS.1,96,68,000/-
[RUPEES ONE CRORE NINETY SIX LAKHS SIXTY EIGHT
THOUSAND ONLY] TOWARDS GROUND RENT TOWARDS

PENALTY FOR BUILDING CONSTRUCTED WITHOUT OBTAINING COMMENCEMENT CERTIFICATE AND ETC.,

IN WRIT PETITION No.11065/2017

BETWEEN

1. THE STANDARD BRICK AND TILE COMPANY (YELAHANKA) PRIVATE LIMITED, A COMPANY INCORPORATED UNDER THE PROVISIONS OF THE COMPANIES ACT HAVING ITS REGISTERED OFFICE AT: BENGALURU- BALLARI ROAD, YELAHANKA POST, YELAHANKA BENGALURU – 560 064 AND REPRESENTED BY ITS POWER OF ATTORNEY HOLDER MR. CHATRU M. MENDA, AUTHORISED REPRESENTATIVE/SIGNATORY.
2. M/S RMZ GALLERIA (INDIA) PRIVATE LIMITED A COMPANY INCORPORATED UNDER THE COMPANIES ACT, 1956 HAVING ITS OFFICE AT LEVEL 12-14, “THE MILLENIA” TOWER-B, NO.1 & 2, MURPHY ROAD, ULSOOR, BENGALURU – 560 008, REPRESENTED BY ITS AUTHORIZED SIGNATORY, MR. CHATRU MENDA.

... PETITIONERS

(BY SRI B.N.PRAKASH, ADVOCATE)

AND

1. THE STATE OF KARNATAKA REPRESENTED BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF URBAN DEVELOPMENT, 4TH FLOOR, VIKAS SOUDHA,

DR. AMBEDKAR VEEDHI,
BENGALURU – 560 001.

2. BRUHATH BENGALURU MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU - 560 002
REPRESENTED BY ITS COMMISSIONER.

3. JOINT DIRECTOR
TOWN PLANNING (NORTH),
BRUHATH BENGALURU
MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE DEMAND NOTICE DTD 01.06.2016 VIDE
ANNX - A ISSUED BY THE R-2, BBMP, SO FAR AS IT
RELATES TO CLAIM MADE FOR PAYMENT OF GROUND
RENT IS CONCERNED AND ETC.

IN WRIT PETITION No.12656/2017

BETWEEN

MRO-TEK REALITY LIMITED
(FORMERLY KNOWN AS MRO-TEK LIMITED)
A COMPANY REGISTERED UNDER THE
COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE AT
HEBBAL, BELLARY ROAD,
BENGALURU – 560 024
REPRESENTED BY ITS GPA HOLDER
M/S UMIYA BUILDERS AND DEVELOPERS,
A PROPRIETARY CONCERN HAVING ITS

OFFICE AT NO.29/3, H M STRFFORD,
II FLOOR, 7TH CROSS ROAD,
VASANTHANAGAR, BENGALURU – 560 052
REPRESENTED BY ITS PROPRIETOR,
ANIRUDDH MEHTA.

... PETITIONER

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR.AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. THE BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE. BENGALURU - 560 002
REPRESENTED BY ITS COMMISSIONER.
3. THE JOINT DIRECTOR (TOWN PLANNING -NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE DEMAND NOTICE DTD.20/21.2.2017 VIDE ANNEX-G
ISSUED BY THE R-3 ONLY IN SO FAR AS THE DEMAND OF
RS.2,30,90,123/- TOWARDS THE GROUND RENT AND
ETC.,

IN WRIT PETITION No.13588/2017

BETWEEN

M/S BHARTIYA CITY DEVELOPERS PRIVATE LIMITED
(ERSTWHILE, ZIGMA LAND DEVELOPERS PVT LTD)
A COMPANY INCORPORATE UNDER:
THE COMPANIES ACT 1956

HAVING ITS REGISTERED OFFICE AT:
56/7, NALLAMBAKKAM VILLAGE (VIA VANDALUR)
CHENNAI, TAMIL NADU - 600048
AND CORPORATE OFFICE AT: #100/1,
ANCHORAGE - 1, RICHMOND ROAD,
BENGALURU- 560025
REPRESENTED BY ITS AUTHORISED SIGNATORY
MR SHAMA SUNDER R J

... PETITIONER

(BY SRI KEMPEGOWDA, ADVOCATE FOR
M/S ANUP S. SHAH LAW FIRM, ADVOCATES)

AND

- 1 . STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
UREAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA
AMBEDKAR VEEDHI
BANGALORE - 560001
- 2 . BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE
BANGALORE - 560002
REPRESENTED BY ITS COMMISSIONER
3. JOINT DIRECTOR
TOWN PLANNING (NORTH)

BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE
BANGALORE - 560002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.P.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE DEMAND NOTICE DATED 4.3.2017
(ANNEXURE- A) ISSUED BY THE R-3 INSOFAR AS IT
RELATES AND REQUIRES PETITIONER TO PAY GROUND
RENT TO THE TUNE OF RS.44,65,323/- & ETC.,

IN WRIT PETITION No.14530/2017

BETWEEN

M/S BRIGADE PROPERTIES PVT LTD
A COMPANY INCORPORATED UNDER THE
COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE AT:
29TH & 30TH FLOOR,
"WORLD TRADE CENTER BANGALORE"
BRIGADE GATEWAY CAMPUS,
NO.26/1, DR.RAJKUMAR ROAD,
MALLESWARAM-RAJAJINAGAR
BANGALORE-560 055
REPRESENTED BY ITS
AUTHORISED SIGNATORY

... PETITIONER

(BY SRI ZULFIKIR KUMAR SHAFI, ADVOCATE)

AND

- 1 . THE STATE OF KARNATAKA
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKASA SOUDHA,
BENGALURU-560 001
REPRESENTED BY ITS SECRETARY
- 2 . BRUHATH BENGALURU MAHANAGARA PALIKE
N.R.SQUARE,
BENGALURU-560 002
REPRESENTED BY ITS COMMISSIONER
- 3 . THE JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHATH BENGALURU MAHANAGARA PALIKE,
BBMP ANNEX BUILDING,
N.R.SQUARE,
BENGALURU-560 002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET AISDE THE DEMAND NOTICE DTD.15.3.2017 ISSUED BY R-3, TO THE EXTENT OF CALLING UPON THE PETITIONER TO PAY RS.96,87,000/- [RUPEES NINETY SIX LAKHS EIGHTY SEVEN THOUSAND ONLY] OUT OF WHICH AN AMOUNT OF RS.57,91,624/- [RUPEES FIFTY SEVEN LAKHS NINETY ONE THOUSAND SIX HUNDRED AND TWENTY FOUR ONLY] TOWARDS GROUND RENT, AS A PRE-REQUISITE CONDITION FOR ISSUANCE OF OCCUPANCY CERTIFICATE IN RESPECT OF A RESIDENTIAL PROJECT OF THE PETITIONER, UNDER THE

BANNER 'BRIGADE COSMOPOLIS' VIDE ANNEX-A.

IN WRIT PETITION No.16461/2017

BETWEEN

ST. JOSEPH COLLEGE HOSTEL,
NO 36, LONGFORD ROAD,
RICHMOND TOWN,
WARD - 111,
BENGALURU - 560027
REPRESENTED BY ITS
SECRETARY AND TREASURER
THE BANGALORE JESUIT EDUCATIONAL SOCIETY
FR. JASON FURTADO S.J.,
S/O WILLIAM FURTADO
AGED ABOUT 37 YEARS.

... PETITIONER

(BY SRI JAYAKUMAR S.PATIL, SENIOR COUNSEL A/W.
SRI DAYANAND S.PATIL, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
BY ITS SECRETARY
VIKAS SOUDHA
BENGALURU – 560 001.
2. BRUHATH BANGALORE MAHANAGARA PALIKE
BY ITS COMMISSIONER
N.R.SQUARE,
BENGALURU – 560 002.
3. THE ASST. DIRECTOR OF TOWN PLANNING (EAST)
22ND FLOOR, SUBHAS CHANDRA BOSE BUILDING,
M G ROAD, BENGALURU – 560 015.

4. THE JOINT DIRECTOR (TOWN PLANNING- NORTH)
BRUHATH BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002
... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 TO R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE DEMAND NOTICE DATED 22.3.2017 ISSUED
BY R-4 AT ANNEX-G IN SO FAR AS PERTAINS TO LEVY
AND DEMAND OF GROUND RENT, SECURITY DEPOSIT
AND LICENSE FEES AND ETC.,

IN WRIT PETITION No.17164/2017

BETWEEN

SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER THE COMPANIES
ACT 1956 AND HAVING ITS REGISTERED AND
CORPORATE OFFICE AT SOBHA SARJAPUR -
MARTHAHALLI OUTER RING ROAD (ORR)
DEVERABEEESANAHALLI BELLANDUR POST
BANGALORE - 560103
REPRESENTED BY ITS AUTHORISED SIGNATORY
MRS V PADMAVATHI

... PETITIONER

(BY SRI KEMPEGOWDA, ADVOCATE FOR
M/S ANUP S. SHAH LAW FIRM, ADVOCATES)

AND

- 1 . STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA
AMBEDKAR VEEDHI
BANGALORE - 560001
- 2 . BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE
BANGALORE - 560002
REPRESENTED BY ITS COMMISSIONER
- 3 . JOINT DIRECTOR
TOWN PLANNING SOUTH
N R SQUARE
BRUHAT BANGALORE MAHANAGARA PALIKE
BANGALORE - 560002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYELAW 3.9 IN THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAWS 2003
(ANNEXURE-A) AS UNCONSTITUTIONAL, ILLEGAL AND
ULTRA VIRES & ETC.,

IN WRIT PETITION No.17436/2017

BETWEEN

BHAGWAN MAHAVEER MEMORIAL JAIN TRUST (REGD.)

MILLERS ROAD, VASANTHAGAR,
BENGALURU-560 052
REP. BY ITS PRESIDENT,
SRI PHOOLCHAND JAIN

... PETITIONER

(BY SRI SANJAY NAIR, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU-560 001
2. BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE.
BENGALURU-560 002
REPRESENTED BY ITS COMMISSIONER
3. JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU-560 002

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYE LAW 3.9 IN THE BENGALURU
MAHANAGARA PALIKE BUILDING BYE-LAWS 2003
(ANNEXURE-A) AS UNCONSTITUTIONAL, ILLEGAL AND
ULTRA VIRES ETC.

IN WRIT PETITION No.37473/2017

BETWEEN

M/S BHARTIYA CITY DEVELOPERS PRIVATE LIMITED,
(ERSTWHILE, ZIGMA LAND DEVELOPERS PVT. LTD.,)
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956,

HAVING ITS REGISTERED OFFICE AT:
56/7, NALLAMBAKKAM VILLAGE (VIA VANDALUR),
CHENNAI, TAMIL NADU - 640 048 AND

CORPORATE OFFICE AT:
100/1, ANCHORAGE,
RICHMOND ROAD,
BENGALURU - 560 025.
REPRESENTED BY ITS
AUTHORISED SIGNATORY,
MR.SHAMA SUNDER R.J.

... PETITIONER

(BY SRI CHANDRASHEKAR G.V., FOR
M/S ANUP S. SHAH LAW FIRM, ADVOCATES)

AND

1. STATE OF KARNATAKA
REPRESENTED BY IT'S PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU - 560 001.
2. BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU - 560 002.
REPRESENTED BY IT'S COMMISSIONER.

3. JOINT DIRECTOR
TOWN PLANNING (NORTH),
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU - 560 002.
... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYELAW 3.9 IN THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAWS 2003 VIDE
ANNEXURE - A AS UNCONSTITUTIONAL, ILLEGAL AND
ULTRA VIRES AND ETC.,

IN WRIT PETITION No.38743/2017

BETWEEN

MR. H R CHANDRASHEKHAR
S/O LATE. H. RAMAIAH,
AGED ABOUT 72 YEARS
NO. 12/1, NEXT TO CANARA BANK,
BEHIND ORIENTAL INSURANCE BUILDING,
BELLARY ROAD, HEBBAL,
BENGALURU - 560006.

REP BY HIS POWER OF ATTORNEY HOLDER:
M/S SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED),
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956, AND HAVING ITS
REGISTERED AND CORPORATE OFFICE AT
"SOBHA", SARJAPUR-MARATHALLI OUTER
RING ROAD (ORR), DEVERABEESANAHALLI,
BELLANDUR POST, BENGALURU - 560 103.

REP. BY ITS AUTHORISED SIGNATORY,
MRS. V PADMAVATHI

... PETITIONER

(BY SRI KEMPEGOWDA FOR M/S ANUP S. SHAH LAW
FIRM, ADVOCATES)

AND

1. STATE OF KARNATAKA
REP BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU 560001
2. BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002.
REP. BY ITS COMMISSIONER,
3. JOINT DIRECTOR
TOWN PLANNING (NORTH),
BRUHAT BANGALORE MAHANAGARA PALIKE,
N R SQUARE, BENGALURU - 560002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYELAW 3.9 OF THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAW 2003 AT
ANNEX-A AS UNCONSTITUTIONAL, ILLEGAL AND ULTRA
VIRES AND ETC.,

IN WRIT PETITION No.47077/2017

BETWEEN

M/S BHARTIYA CITY DEVELOPERS PRIVATE LIMITED
(ERSTWHILE, ZIGMA LAND DEVELOPERS PVT LTD)
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT 1956

HAVING ITS REGISTERED OFFICE AT:
56/7, NALLAMBAKKAM VILLAGE (VIA VANDALUR)
CHENNAI, TAMIL NADU-600048 AND

CORPORATE OFFICE AT:
100/1, ANCHORAGE
RICHMOND ROAD,
BENGALURU-560025

REPRESENTED BY ITS AUTHORISED SIGNATORY
MR SHAMA SUNDER R J

... PETITIONER

(BY SRI KEMPEGOWDA, ADVOCATE FOR
SRI ANUP S. SHAH LAW FIRM, ADVOCATES)

AND

- 1 . STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA
AMBEDKAR VEEDHI
BENGALURU-560 001
- 2 . BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE
BENGALURU-560 002
REPRESENTED BY ITS COMMISSIONER

3 . JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE
BENGALURU-560 002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R- 1,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R2 & R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYE LAW NO.3.9 OF THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAWS 2003 (ANNX-
A) AS UNCONSTITUTIONAL, ILLEGAL AND ULTRA VIRES.

IN WRIT PETITION No.58170/2017

BETWEEN

M/S GOPALAN ENTERPRISES INDIA PVT LTD
NO.5, RICHMOND ROAD,
BENGALURU - 560 025
REP. BY ITS DIRECTOR,
MR. C. PRAMOD.

... PETITIONER

(BY SRI G.KRISHNAMURTHY, SENIOR COUNSEL A/W.
SRI CHANDRAKANTH PATIL K. AND SMT. APARNA N.,
ADVOCATES)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY CHIEF SECRETARY,

VIDHANA SOUDHA,
BENGALURU 560 001.

2. DEPARTMENT OF URBAN DEVELOPMENT
AND MUNICIPAL ADMINISTRATION,
THE STATE OF KARNATAKA
VIKASA SOUDHA,
BENGALURU 560 001.
3. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PLIKE,
N.R. SQUARE, J.C. ROAD,
BENGALURU 560 002.
4. THE JOINT DIRECTOR-TOWN PLANNING NORTH
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R. SQUARE, J.C. ROAD,
BENGALURU 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 AND R2;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE ENTIRE PROCEEDINGS IN C.C.NO.146/2017
ON THE FILE OF PRINCIPAL SESSION AND SPECIAL
JUDGE, D.K. MANGALORE, IN CRIME NO.86/2016
REGISTERED BY THE VENOOR POLICE AS AGAINST THE
PETITIONER FOR THE OFFENCES PUNISHABLE UNDER
SECTION 36, 42, 44, 3 OF MMRD ACT AND KMMC RULES
1994 AND SECTION 21[4], 21[4A], 4, A[1A] OF MINES AND
MINERAL REGULATION OF DEVELOPMENT ACT AND
SECTION 379 OF IPC VIDE ANNEXURE-A.

IN WRIT PETITION No.6381/2018

BETWEEN

- 1 . SADUPADESHA VIDYALAYA
NO. 28/1,
HENNUR ROAD,
KALYAN NAGAR,
BANGALORE 560043

- 2 . SADUPADESHA VIDYALAYA TRUST
NO. 28/1,
HENNUR ROAD,
KALYAN NAGAR,
BANGALORE 560043

REPRESENTED BY THIER GPA HOLDER,
M/S ASHED PROPERTIES AND
INVESTMENTS PVT LTD,
A COMPANY INCORPORATED UNDER
PROVISIONS OF INDIAN COMPANIES ACT,
HAVING REGISTERED OFFICE AT NO.807,
8TH FLOOR, BARTON CENTRE,
MG ROAD, BANGALORE 560001.
REP BY ITS MANAGING DIRECTOR,
MR. SAMEER A KHAN

... PETITIONERS

(BY SRI T.P.VIVEKANANDA, ADVOCATE)

AND

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

- 2 . THE BRUHAT BANGALORE MAHANAGARA PALIKE
NR SQUARE,
BANGALORE 560002,
REP BY ITS COMMISSIONER,
- 3 . THE JOINT DIRECTOR (TOWN PLANNING NORTH)
THE BRUHAT BANGALORE MAHANAGARA PALIKE,
NR SQUARE,
BANGALORE 560002.

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R1,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R2 & R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE DEMAND NOTICE DTD:24.1.2018 AT ANNEXURE-H
ISSUED BY THE R-3 ONLY IN SO FAR AS THE DEMAND OF
RS.48,11,250/- TOWARDS THE GROUND RENT.

IN WRIT PETITION No.9028/2018

BETWEEN

M/S ZONASHA ESTATES AND PROJECTS
NO.1075, 2ND FLOOR,
12TH MAIN, 8TH CROSS,
INDIRANAGAR, BENGALURU – 560 038
REPRESENTED BY ITS PARTNER,
SRI R.NAGARAJ
AGED ABOUT 58 YEARS.

... PETITIONER

(BY SRI SHIVANANDA S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU – 560 001.
2. THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.
3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY THE R-2 COMMISSIONER DTD: 4.9.2015 LEVYING FEES FOR ISSUE OF I.T/B.T BUILDING LICENSE/SANCTION PLAN AS, AS CONTAINED IN ANNEXURE-H AND THE DEMAND NOTICE ISSUED BY THE R-2 COMMISSIONER DTD:15.2.2018 AS CONTAINED IN ANNEXURE-J AND ETC.,

IN WRIT PETITION No.9581/2018

BETWEEN

M/S ESTEEM ICON
A PARTNERSHIP FIRM
HAVING ITS OFFICE AT NO.32,33,34

3RD FLOOR, SNS CHAMBER,
239, SANKEY ROAD,
SADASHIVANAGAR,
BENGALURU – 560 080
REPRESENTED BY ITS PARTNER
SRI NARAINDAS BODARAM.

... PETITIONER

(BY SRI SHIVANANDA S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA, BENGALURU – 560 001.
2. THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.
3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH),
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CIRCULAR ISSUED BY THE 2ND
RESPONDENT COMMISSIONER DATED 4.9.2015 LEVYING
FEES FOR ISSUE OF I.T/B.T BUILDING
LICENSE/SANCTION PLAN AS, AS CONTAINED IN

ANNEXURE-G, AND THE DEMAND NOTICE ISSUED BY THE 2ND RESPONDENT COMMISSIONER DATED 17.2.2018, AS CONTAINED IN ANNEXURE-H AND ETC.,

IN WRIT PETITION No.11868/2018

BETWEEN

M/S ESTEEM ROYALE
A PARTNERSHIP FIRM
HAVING ITS OFFICE AT NO.32, 33, 34
3RD FLOOR, SNS CHAMBER,
239, SANKEY ROAD
SADASHIVANAGAR
BENGALURE -- 560 080
REPRESENTED BY ITS PARTNER
SRI SUNIL S. BATHIJA.

... PETITIONER

(BY SRI SHIVANANDA S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU – 560 001.
2. THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.
3. THE JOINT DIRECTOR

TOWN AND COUNTRY PLANNING (SOUTH),
BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V AND SMT.SINCHANA M.R ,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE CIRCULAR ISSUED BY THE R-2 COMMISSIONER DTD:
4.9.2015 LEVYING FEES FOR ISSUE OF
I.T./B.T./APARTMENTS BUILDING LICENSE/SANCTION
PLAN, AS CONTAINED IN ANNEXURE-F AND THE DEMAND
NOTICE ISSUED BY THE R-3 COMMISSIONER
DTD:8.3.2018 AS CONTAINED IN ANNEXURE-G AND ETC.,

IN WRIT PETITION No.12522/2018

BETWEEN

M/S. SUMADHURA INFRACON PVT. LTD.,
A PRIVATE LIMITED COMPANY
INCORPORATED UNDER THE INDIAN
COMPANIES ACT, 1956,
HAVING ITS REGISTERED
OFFICE AT NO.43,
2ND FLOOR, "CKB PLAZA",
VARTHUR MAIN ROAD,
MARATHAHALLI, BENGALURU – 560 037,

REPRESENTED BY ITS
CHAIRMAN AND MANAGING DIRECTOR,
SRI G. MADHUSUDHAN,
SON OF LATE SRI. SATTAIAH.

... PETITIONER

(BY SRI SHIVANANDA S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA, BENGALURU – 560 001.
 2. THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.
 3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH),
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.
- ... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

IN WRIT PETITION No.13143/2018

BETWEEN

M/S SNS PLAZA
A PARTNERSHIP FIRM,
HAVING ITS OFFICE AT 239,
3RD FLOOR, SNS CHAMBER, SANKEY ROAD,
SADASHIVANAGAR,
BENGALURU 560080,
REP BY ITS PARTNER,
SRI. NARINDAS BODARAM

... PETITIONER

(BY SRI SHIVANANDA S, ADVOCATE)

AND

- 1 . THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU 560001
- 2 . THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE,
N R SQUARE,
BENGALURU 560002
- 3 . THE JOINT DIRECTOR
TOWN AND COUNTY PLANNING (NORTH),
BRUHAT BANGALORE MAHANAGAR PALIKE,
N R SQUARE.
BENGALURU 560002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE CIRCULAR ISSUED BY R-2 COMMISSIONER DATED
4.9.2015 LEVYING FEES FOR ISSUE OF
I.T/B.T/APARTMENTS BUILDING LICENSE / SANCTION
PLAN AS, AS CONTAINED IN ANNEX-F, AND THE DEMAND
NOTICE ISSUED BY R-3 COMMISSIONER DATED 16.3.2018
AS CONTAINED IN ANNEXURE- G AND ETC.,

IN WRIT PETITION No.13465/2018**BETWEEN**

1. SATTVA HOUSING PVT LTD
A COMPANY INCORPORATED UNDER THE
COMPANIES ACT 1956, HAVING ITS REGISTERED
OFFICE AT NO.4TH FLOOR,
SALARPURIA WINDSOR, NO.3,
ULSOOR ROAD,
BENGALURU-560 042
REPRESENTED BY ITS
AUTHORISED SIGNATORY
ASHWIN SANCHETI
S/O LATE MANOHARCHAND SANCHETI
AGED ABOUT 41 YEARS.

- 2 . DAZZLE TRADING LLP
FORMERLY KNOWN AS
DAZZLE TRADING PRIVATE LIMITED
A LIMITED LIABILITY PARTNERSHIP
INCORPORATED UNDER THE
PROVISIONS OF LIMITED
LIABILITY PARTNERSHIP ACT 2008
HAVING ITS REGISTERED
OFFICE AT NO.222,
GOKALDAS CHAMBERS, 5TH MAIN,
SADASHIVNAGAR, BELLARY ROAD,
BENGALURU-560 080
REPRESENTED BY ITS POWER OF ATTORNEY
HOLDER SATTVA HOUSING PVT.
LTD. THROUGH AUTHORIZED REPRESENTATIVE
MR.ASHWIN SANCHETI
AGED ABOUT 41 YEARS.

... PETITIONERS

(BY SMT. ANUPARNA BORDOLOI, ADVOCATE FOR
M/S SHETTY & HEGDE ASSOCIATES)

AND

- 1 . THE STATE OF KARNATAKA
DEPARTMENT OF TOWN AND COUNTRY PLANNING
REPRESENTED BY ITS CHIEF SECRETARY
VIDHANA SOUDHA,
BENGALURU-560 001.
- 2 . THE COMMISSIONER
BRUHAT BANGALORE MAHANAGAR PALIKE,
N.R.SQUARE,
BENGALURU-560 002.
- 3 . JOINT DIRECTOR OF TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGAR PALIKE,
N.R.SQUARE,
BENGALURU-560 002
- 4 . ADDITIONAL DIRECTOR (TOWN PLANNING)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU-560 002.

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 TO R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE ENDORSEMENT DTD 28.02.2018 ISSUED BY
R-3 SO FAR AS IT DIRECTS THE PETITIONER HEREIN TO
DEPOSIT GROUND RENT OF RS.2,30,15,000/- VIDE ANN-
A & ETC.

IN WRIT PETITION No.14265/2018

BETWEEN

1. SMT H G SHEELA
W/O SRI R NAGARAJ,
AGED ABOUT 50 YEARS,
2. SMT G VANITHA
W/O SRI G PRABHU,
AGED ABOUT 38 YEARS,
3. SMT G KOKILA
W/O VINOD,
AGED ABOUT 36 YEARS,

ALL ARE R/AT NO.80,
2ND MAIN ROAD, I CROSS, DEFENCE COLONY,
INDIRANAGAR, BENGALURU-560038.

... PETITIONERS

(BY SRI SHIVANANDA S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDITIONAL CHIEF
SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU-560001.
2. THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU-560002.

- 3 . THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU-560002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY THE R-2 COMMISSIONER DTD:4.9.2015 LEVYING FEES FOR ISSUE OF I.T./B.T. BUILDING LICENSE/SANCTION PLAN AS CONTAINED IN ANNEXURE-E AND THE DEMAND NOTICE ISSUED BY THE R-2 COMMISSIONER DTD:21.3.2018 AS CONTAINED IN ANNEXURE-F & ETC.,

IN WRIT PETITION No.14307/2018

BETWEEN

- 1 . MRS. B.V.JAYALAKSHMI
AGED 62 YEARS,
D/O LATE P N VENKATARAMANASWAMY,
R/AT NO.127/11, BULL TEMPLE ROAD,
K.G.NAGAR,
BENGALURU-560019.
- 2 . B N CHETHAN
AGED 32 YEARS,
S/O B V NANJUNDAPPA,
R/AT NO.67/1-11, 7TH CROSS,
SUBRAMANYAPURA MAIN ROAD,
KADRENAHALLI,
BSK 2ND STAGE, BENGALURU-560070.

- 3 . B N MADHURYA
AGED 28 YEARS,
D/O LATE B V NANJUNDAPPA,
R/AT NO.1075/2, 8TH CROSS,
ST.THOMAS TOWN,
LINGARAJAPURAM,
KACHARAKANAHALLI,
BENGALURU-560084.
- 4 . SMT SHANTHA
AGED 51 YEARS,
W/O LATE B V JAYANTH,
R/AT NO.457, ITI LAYOUT,
OPPOSITE TO GOPALAN ARCHADE,
MYSORE ROAD,
BENGALURU-560039
- 5 . B J KIRAN
AGED 30 YEARS,
S/O LATE B V JAYANTH,
R/AT NO.457, ITI LAYOUT,
OPPOSITE TO GOPALAN ARCHADE,
MYSORE ROAD,
BENGALURU-560039
- 6 . B JAYAMMA
AGED 49 YEARS,
W/O B V SOMASHEKAR,
R/AT NO.18, IST MAIN ROAD,
BHEL LAYOUT, KENCHAHALLI,
R.R.NAGAR,
BENGALURU-560098.
- 7 . B S PUNEETH
AGED 27 YEARS,
S/O LATE B V SOMASHEKAR,
R/AT NO.18, IST MAIN ROAD,
BHEL LAYOUT, KENCHENAHALLI,
R.R.NAGAR, BENGALURU-560098.

- 8 . B S NAVYASHREE
AGED 20 YEARS,
D/O LATE B V SOMASHEKAR,
R/AT NO.18, IST MAIN ROAD,
BHEL LAYOUT, KENCHENAHALLI,
R.R.NAGAR, BENGALURU-560098.
- 9 . B V PREMA KUMARI
AGED 52 YEARS,
D/O LATE P N VENKATARAMANASWAMY,
R/AT NO.426, RAJARAJESHWARI NILAYA,
5TH MAIN, 5TH CROSS,
KENGARI SATELLITE TOWN,
BENGALURU-560060.

ALL THE PETITIONERS ARE
REPRESENTED BY
THEIR GENERAL POWER OF ATTORNEY
HOLDER M/S M N LANDMAARK,
A REGISTERED PARTNERSHIP FIRM,
HAVING ITS REGISTERED
OFFICE AT NO.11, A.S.COMPLEX,
8TH MAIN, BASAVESHWARANAGAR,
BENGALURU-560079
BY ITS MANAGING DIRECTOR,
SRI D RAGHU.

... PETITIONERS

(BY SRI VIVEKANANDA.T.P., ADVOCATE)

AND

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

2 . THE BRUHATH BANGALORE MAHANAGARA PALIKE
N.R.SUQARE,
BENGALURU-560002
REPRESENTED BY ITS COMMISSIONER

3 . THE JOINT DIRECTOR
TOWN PLANNING (SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU-560002.

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE DEMAND NOTICE DTD:21.3.2018 AT
ANNEXURE-D ISSUED BY THE R-3 IN SO FAR AS THE
DEMAND OF RS.54,41,670.27/- TOWARDS THE GROUND
RENT AND RS.1,06,83,560.47 TOWARDS THE LICENSE
FEE & ETC.,

IN WRIT PETITION No.16282/2018

BETWEEN

BHARTIYA CITY DEVELOPERS PRIVATE LIMITED
A COMPANY INCORPORATED UNDER THE
COMPANIES ACT 1956,
HAVING ITS OFFICE AT
100/1, GROUND FLOOR,
ANCHORAGE-1, RICHMOND ROAD,
BENGALURU-560 025
REPRESENTED BY ITS AUTHORISED
SIGNATORY
MR SHAMA SUNDER R J

S/O LATE MR R M JANARDHAN
AGED ABOUT 55 YEARS

... PETITIONER

(BY SMT. ANUPARNA BORDOLOI, ADVOCATE)

AND

- 1 . THE STATE OF KARNATAKA
DEPARTMENT OF TOWN AND COUNTRY PLANNING,
REPRESENTED BY ITS CHIEF SECRETARY,
VIDHANA SOUDHA,
BENGALURU-560 001
- 2 . THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU-560 002
- 3 . JOINT DIRECTOR OF TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU-560 002
- 4 . ADDITIONAL DIRECTOR (TOWN PLANNING)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU-560 002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.R., ADVOCATES
FOR R2 TO R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE ENDORSEMENT DTD 17.02.2018 ISSUED BY
R-3 SO FAR AS IT DIRECTS THE PETITIONER HEREIN TO

DEPOSIT GROUND RENT OF RS.2,04,09,706/- AND
LICENSE FEE OF RS.2,63,94,789/- VIDE ANNEX-A.

IN WRIT PETITION No.16990/2018

BETWEEN

M/S. YUKEN INDIA PVT. LTD.,
REGISTERED OFFICE AT NO. 16,
WHITEFIELD ROAD,
WHITEFIELD,
BENGALURU-560 066,
REPRESENTED BY ITS POWER OF ATTORNEY HOLDER,

BRIGADE ENTERPRISES LTD.,
29TH AND 30TH FLOOR,
WORLD TRADE CENTER,
26/1, BRIGADE GATEWAY,
DR. RAJKUMAR ROAD,
MALLESHWARAM,
RAJAJINAGAR,
BENGALURU-560 055,
REPRESENTED BY SMT. GAYATHRI SHEELAVANT,
AGED ABOUT 36 YEARS.

... PETITIONER

(BY SRI SHIVANANDA S., ADVOCATE)

AND

- 1 . THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDITIONAL CHIEF
SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU-560 001.
- 2 . THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R. SQUARE,
BENGALURU-560 002.

3 . THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH),
BRUHATH BANGALORE MAHANAGARA PALIKE,
N.R. CIRCLE,
BENGALURU-560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.R., ADVOCATES
FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE CIRCULAR ISSUED BY R-2 COMMISSIONER DATED
4.9.2015 LEVYING FEES FOR ISSUE OF I.T / B.T BUILDING
LICENSE / SANCTION PLAN AS CONTAINED IN ANNEX-E,
AND THE DEMAND NOTICE ISSUED BY R-3 DATED
6.4.2018 AT ANNEX-F & ETC.,

IN WRIT PETITION No.17048/2018

BETWEEN

1 . SRI. AL MUTHAIAH
SON OF LATE SRI M.AL. ALAGAPPA CHETTIAR
AGED ABOUT 84 YEARS
RESIDING AT NO.34,
RMV EXTENSION,
SADASHIVANAGAR
BENGALURU - 560080

2 . SRI A L ANNAMALAI
SON OF LATE SRI M.A.L. ALAGAPPA CHETTIAR
AGED ABOUT 68 YEARS
RESIDING AT NO 221,
UPPER PALACE ORCHARDS
BELLARY ROAD,
SADASHIVANAGAR

BENGALURU - 560080
REP BY THEIR POWER OF
ATTORNEY HOLDER.

BRIGADE ENTERPRISES LTD
29TH & 30TH FLOOR,
WORLD TRADE CENTER,
26/1, BRIGADE GATEWAY,
DR RAJKUMAR ROAD, MALLESHWARAM,
RAJAJINAGAR
BENGALURU - 560055
REPRESENTED BY SMT ROHINI B M
AGED ABOUT 38 YEARS

... PETITIONERS

(BY SRI SHIVANANDA S., ADVOCATE)

AND

- 1 . THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDITIONAL CHIEF
SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA
BENGALURU - 560001
- 2 . THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE
BENGALURU - 560002
- 3 . THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N R CIRCLE, BENGALURU - 560002

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO **i)** QUASH THE CIRCULAR ISSUED BY THE R-2 COMMISSIONER DTD 4.9.2015 LEVYING FEES FOR ISSUE OF I.T/B.T BUILDING LICENSE/SANCTION PLAN AS VIDE ANNEX-E AND THE DEMAND NOTICE ISSUED BY THE R-3 JOINT DIRECTOR DTD 09.04.2018 VIDE ANNEX-F & ETC.,

IN WRIT PETITION No.17262/2018

BETWEEN

SRI R. SHANKARAPPA
S/O. LATE RAMAKRISHNAPPA,
AGED ABOUT 61 YEARS
R/AT NO. 31,
KENCHENAHALLI,
IDEAL HOME TOWNSHIP,
RAJARAJESHWARINAGAR,
MYSORE ROAD, BENGALURU 560098

... PETITIONER

(BY SRI SHIVANANDA.S., ADVOCATE)

AND

- 1 . THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDL CHIEF SECRETARY,
UREAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU 560001
- 2 . THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE,
NR SQUARE,
BENGALURU 560002
- 3 . THE ASSISTANT DIRECTOR
TOWN AND COUNTRY PLANNING,
RAJARAJESHWARINAGAR DIVISION,
BRUHAT BANGALORE MAHANAGARA PALIKE,

RAJARAJESWARINAGARA,
BENGALURU 560098

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE CIRCULAR ISSUED BY R-2 COMMISSIONER DATED
4.9.2015 LEVYING FEES FOR ISSUE OF I.T / B.T BUILDING
LICENSE / SANCTION PLAN AS CONTAINED IN ANNEX-E,
AND THE DEMAND NOTICE ISSUED BY R-3 DATED
7.3.2018 AS CONTAINED AT ANNEX-F & ETC.,

IN WRIT PETITION No.17350/2018

BETWEEN

M/S VASTHU PROPERTIES
NO.627, 14TH CROSS,
J.P. NAGAR, I PHASE,
BENGALURU - 560078.
REPRESENTED BY ITS PARTNER
SRI SHIVANAGOUDA PATIL.

... PETITIONER

(BY SRI SHIVANANDA S, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDITIONAL
CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU - 560001.

- 2 . THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R. SQUARE,
BENGALURU - 560002.
- 3 . THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (SOUTH),
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R. CIRCLE,
BENGALURU - 560002.

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE CIRCULAR ISSUED BY R-2 COMMISSIONER DATED
4.9.2015 LEVYING FEES FOR ISSUE OF I.T / B.T BUILDING
LICENSE / SANCTION PLAN AS CONTAINED IN ANNEX-E,
AND THE DEMAND NOTICE ISSUED BY R-3 DATED
21.3.2018 AT ANNEX-F & ETC.,

IN WRIT PETITION No.17352/2018

BETWEEN

- 1 . SRI B M RAMANNA
S/O LATE MUNIYAPPA,
SINCE DECEASED BY HIS LRS
B R ANANDA KUMAR
S/O LATE B M RAMANNA,
AGED ABOUT 58 YEARS
R/A SY NO.209/3,
KODIGEHALLI HOBLI,
BENGALURU NORTH TALUK,
BENGALURU

2 . SRI K RAJANNA
S/O SRI B KRISHNAPPA,
AGED ABOUT 66 YEARS
R/A SY.NO.209/8 AND 209/6,
KODIGEHALLI VILLAGE,
YELAHANKA HOBLI,
BENGALURU NORTH TALUK,
BENGALURU

3 . SRI N SHIVAKUMAR
S/O P NANJUNDAPPA,
AGED ABOUT 55 YEARS
R/A SY.NO.209/4,
KODIGEHALLI VILLAGE,
YELAHANKA HOBLI,
BENGALURU NORTH TALUK,
BENGALURU

4 . SRI K G VENKATESH
S/O LATE GUNGAPPA,
AGED ABOUT 62 YEARS
R/A SY.NO.209/7,
KODIGEHALLI VILLAGE,
YELAHANKA HOBLI,
BENGALURU NORTH TALUK,
BENGALURU

ALL THE PETITIONERS ARE
REPRESENTED BY THEIR GPA HOLDER
SRI S.A.KABEER,
M/S ALPINE HOUSING DEVELOPMENT CORPORATION
LTD., NO.302,ALPINE ARCH NO.10,
LANGFORD ROAD, BENGALURU-560 027

... PETITIONERS

(BY SRI SHIVANANDA S, ADVOCATE)

AND

1 . THE STATE OF KARNATAKA

REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT
VIDHANA SOUDHA,
BENGALURU-560 001

- 2 . THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE
BENGALURU-560 002
- 3 . THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.CIRCLE
BENGALURU-560 002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY R-2 COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF I.T / B.T BUILDING LICENSE / SANCTION PLAN AS CONTAINED IN ANNEX-E, AND THE DEMAND NOTICE ISSUED BY R-3 DATED 9.4.2018 DIRECTING THE PETITIONER TO DEPOSIT A SUM OF RS.41,17,000/- TOWARDS GROUND RENT, DEVELOPMENT FEE FOR THE BUILDING AND SITE, SECURITY DEPOSIT, LICENCE FEE, COMPOUND WALL FEE AND RS. 18,69,000/- TOWARDS LABOUR WELFARE FUND CONTRIBUTION AS CONTAINED AT ANNEX-F & ETC.,

IN WRIT PETITION No.17356/2018

BETWEEN

SMT B S SUSHEELA RAMAMURTHY
D/O. SRI. B. SIDDAGANGAIAH,
W/O. SRI. B. RAMMURTHY,
AGED ABOUT 59 YEARS,
R/AT. NO.2240, 23RD CROSS,
BSK 2ND STAGE,
BENGALURU - 560070.

... PETITIONER

(BY SRI SHIVANANDA S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU - 560001.
2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R. SQUARE,
BENGALURU - 560002.
3. JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (SOUTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R. SQUARE,
BENGALURU - 560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V. AND SMT. SINCHANA M.R., ADVOCATES
FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY R-2 DATED 4.9.2015 LEVYING FEES FOR ISSUE OF I.T / B.T BUILDING LICENSE / SANCTION PLAN, AS CONTAINED IN ANNEX-E, AND THE DEMAND NOTICE ISSUED BY R-3 DATED 8.3.2018 DIRECTING THE PETITIONER TO DEPOSIT A SUM OF RS.68,86,000/- TOWARDS GROUND RENT, DEVELOPMENT FEE FOR THE BUILDING AND SITE, SECURITY DEPOSIT, LICENCE FEE, COMPOUND WALL FEE AND RS.45,16,000/- TOWARDS LABOUR WELFARE FUND CONTRIBUTION AS CONTAINED IN ANNEX-F AND ETC.

IN WRIT PETITION No.18297/2018

BETWEEN

M/S. CONCORD HOUSING CORPORATION LIMITED
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956,
HAVING ITS OFFICE AT NO.46/A,
1ST MAIN, 3RD PHASE,
J. P. NAGAR, BENGALURU,

REPRESENTED BY ITS DIRECTOR,
MR. R.G. ANIL,
S/O. R. GOPAL REDDY,
AGED ABOUT 29 YEARS.

... PETITIONER

(BY SMT. ANUPARNA BORDOLOI, ADVOCATE (VIDEO
CONFERENCING)

AND

1. THE STATE OF KARNATAKA
DEPARTMENT OF TOWN AND COUNTRY PLANNING,
REPRESENTED BY ITS CHIEF SECRETARY,
VIDHANA SOUDHA,
BENGALURU-560 001.

2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R. SQUARE,
BENGALURU - 560 002.
3. JOINT DIRECTOR OF TOWN PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R. SQUARE, BENGALURU - 560 002.
4. ADDITIONAL DIRECTOR (TOWN PLANNING)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R. SQUARE, BENGALURU - 560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL
HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 TO R4(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE ENDORSEMENT DATED 11.04.2018 ISSUED
BY RESPONDENT NO.3 SO FAR AS IT DIRECTS THE
PETITIONER HEREIN TO DEPOSIT GROUND RENT OF
RS.35,20,354/- AND LICENSE FEE OF RS.69,78,899/-
(ANNEXURE-A) ETC.

IN WRIT PETITION No.18530/2018

BETWEEN

SRI G V RAJASHEKAR
S/O. GUDIMETLA KOTA NARASIMHA RAO,
AGED ABOUT 50 YEARS,
M/S. VISHALAKSHI HOUSING PROJECTS,
NO.88/1, 1ST FLOOR,

BEL CORPORATE OFFICE,
BENGALURU RING ROAD,
BENGALURU - 560048.

... PETITIONER

(BY SRI NAGARAJA T., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU - 560001.
2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R. CIRCLE, BENGALURU - 560002.
3. THE JOINT DIRECTOR
TOWN PLANNING, BBMP,
N.R. CIRCLE, BENGALURU - 560002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL
HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CIRCULAR DTD:21.9.2017 ISSUED BY THE
R-2 PRODUCED AT ANNEXURE-C AND DEMAND NOTICE
DTD6.4.2018 ISSUED BY THE R-3 PRODUCED AT
ANNEXURE-B.

IN WRIT PETITION No.23726/2018

BETWEEN

SRI. K S SATHYANARAYANAREDDY
S/O.LATE SARREDDY,
AGED ABOUT 51 YEARS
R/AT. ROW HOUSE NO.141,
DSR ELITE, MAHADEVPURA,
BENGALURU - 560045.

... PETITIONER

(BY SRI NAGARAJA T., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU - 560001.

2. THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R. CIRCLE, BENGALURU - 560002.

3. THE JOINT DIRECTOR
TOWN PLANNING - NORTH, BBMP,
N.R. CIRCLE, BENGALURU - 560002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1
(PHYSICAL HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CIRCULAR DATED 21.09.2017 ISSUED BY R-2

AT ANNEX-G AND DEMAND NOTICE DATED 21.04.2018
ISSUED BY R-3 VIDE ANNEX-F ETC.

IN WRIT PETITION No.25545/2018

BETWEEN

SMT. SULOCHANA RAMESH
W/O. SRI P. RAMESH,
NO. 3797, SAI CHITTA,
7TH MAIN, HAL 2ND STAGE,
INDIRANAGAR, BENGALURU 560038.

REPTD. BY HER POWER OF ATTORNEY HOLDER
M/S SURAJ DWELLERS (PVT.) LTD.,
A PRIVATE LIMITED COMPANY HAVING
ITS REGISTERD OFFICE AT SURAJ GANGA ARCADE NO.
332/7, 14TH CROSS, 2ND BLOCK,
JAYANAGAR, BENGALURU 560011.
REP. BY ITS DIRECTOR,
SRI. L SURESH

... PETITIONER

(BY SRI SHIVANANDA S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REP. BY ITS ADDL. CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SUDHA,
BENGALURU 560001
2. THE COMMISSIONER
BRUHAT BANGALORE MAHANAGRA PALIKE,
NR SQUARE,
BENGALURU 560002

3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH),
BRUHAT BANGALORE MAHANAGRA PALIKE,
NR SQUARE,
BENGALURU 560002

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1
(PHYSICAL HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY R-2 DATED 4.9.2015 LEVYING FEES FOR ISSUE OF I.T / B.T BUILDING LICENSE / SANCTION PLAN, AS CONTAINED IN ANNEX-G, AND THE DEMAND NOTICE ISSUED BY R-3 DATED 5.5.2018 DIRECTING THE PETITIONER TO DEPOSIT A SUM OF RS. 45,63,000/- TOWARDS GROUND RENT, GST, PLAN COPY FEE, TANK REJUVENATION FEE, AS CONTAINED IN ANNEX-H ETC.

IN WRIT PETITION No.25850/2018

BETWEEN

SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER THE COMPANIES
ACT, 1956 AND HAVING ITS REGISTERED AND
CORPORATE OFFICE AT SOBHA, SARJAPUR-
MARTHAHALLI OUTER RING ROAD(ORR)
DEVERABEESANAHALLI
BELLANDUR POST
BENGALURU - 560103
REPRESENTED BY ITS
AUTHORISED SIGNATORY

MR RAGHAVENDRA N R

... PETITIONER

(BY SRI KEMPEGOWDA FOR M/S.ANUP S. SHAH LAW
FIRM, ADVOCATES (VIDEO CONFERENCING))

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA
DR. AMBEDKAR VEEDHI
BENGALURU - 560001
2. BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002
REPRESENTED BY ITS COMMISSIONER
3. JOINT DIRECTOR
TOWN PLANNING(NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE,
BENGALURU - 560002

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL
HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
ISSUE DIRECTION DECLARING THE BYELAW 3.9 IN THE
BANGALORE MAHANAGARA PALIKE BUILDING BYE-LAWS,
2003 (ANNEXUER-A) AS UNCONSTITUTIONAL, ILLEGAL
AND ULTRA VIRES ETC.

IN WRIT PETITION No.27638/2018

BETWEEN

M/S BRIGADE ENTERPRISES LIMITED
A COMPANY INCORPORATED UNDER THE
PROVISIONS OF THE COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE AT
29TH AND 30TH FLOORS,
WTC-BENGALURU
MALLESHWARAM-RAJAJINAGAR
BENGALURU – 560 55
REPRESENTED BY ITS

AUTHORISED SIGNATORY,
SRI UDAYA KUMAR.

... PETITIONER

(BY SRI SHIVANANDA S, ADVOCATE (VIDEO
CONFERENCING))

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA, BENGALURU-560 001.
2. THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU-560 002.
3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU-560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1(PHYSICAL HEARING);
SRI SREENIDHI V AND SRI SINCHANA M.R.,
ADVOCATE FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY R-2 DATED 4.9.2015 LEVYING FEES FOR ISSUE OF I.T / B.T BUILDING LICENSE / SANCTION PLAN, AS CONTAINED IN ANNEX-F, AND THE DEMAND NOTICE ISSUED BY R-3 DATED 12.6.2018 AS CONTAINED IN ANNEX-K AND ETC.,

IN WRIT PETITION No.28692/2018

BETWEEN

L & T CONSTRUCTIONS EQUIPMENT
LIMITED-REALTY DIVISION
(A WHOLLY OWNED SUBSIDIARY OF
LARSEN & TOURBO LIMITED)
A COMPANY UNDER THE COMPANIES
ACT, 2013
HAVING ITS REGISTERED OFFICE AT L & T HOUSE,
N.M.MARG, BALLARD ESTATE,
MUMBAI - 400 001
MAHARASHTRA, INDIA

HAVING ITS CORPORATE OFFICE AT
BELLARY ROAD, BYATARAYANAPURA,
BENGALURU - 560 092
REPRESENTED BY ITS
AUTHORIZED SIGNATORY AND BUSINESS HEAD
MR.K.CHANDRASHEKAR

... PETITIONER

(BY SRI SHRAVANTH ARYA TANDRA FOR SMT. SANJANTHI
SAJAN POOVAYYA, ADVOCATES)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKASA SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU - 560 001
KARNATAKA, INDIA.
2. BRUHAT BANGALORE MAHANAGARA PALIKE
REPRESENTED BY ITS COMMISSIONER,
N.R.SQUARE, BENGALURU - 560 002
KARNATAKA, INDIA.
3. JOINT DIRECTOR (TOWN PLANNING-NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU - 560 002,
KARNATAKA, INDIA.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL
HEARING);
SRI SREENIDHI V., AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES
226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING
TO DECLARE THAT RESPONDENT NO.3 IS NOT
EMPOWERED TO DEMAND OR RECEIVE GROUND RENT
WHEN PUBLIC LAND IS NOT USED FOR STOCKING OR
STORING OF THE BUILDING MATERIALS AND ETC.,

IN WRIT PETITION No.29867/2018**BETWEEN**

1. SRI. A. NARASIMHAN

SON OF LATE SRI C. ARUNACHALAM
AGED ABOUT 55 YEARS,
RESIDING AT NO.974-A, 2ND MAIN, 4TH BLOCK,
RAJAJINAGAR. BENGALURU-560010

2. SRI N VIJAYA
WIFE OF SRI A NARASIMHAAN
AGED ABOUT 68 YEARS,
RESIDING AT NO.974-A, 2ND MAIN, 4TH BLOCK,
RAJAJINAGAR BENGALURU-560 010

3. SRI A ARUMUGAM
SON OF LATE SRI C ARUNACHALAM
AGED ABOUT 53 YEARS,
RESIDING AT NO.974-B,
2ND MAIN, 4TH BLOCK,
RAJAJINAGAR,
BENGALURU-560 010

REP. BY THEIR POWER OF ATTORNEY HOLDER

BRIGADE ENTERPRISES LTD
29TH & 30TH FLOOR, WORLD TRADE CENTER
26/1, BRIGADE GATEWAY
DR RAJKUMAR ROAD, MALLESWARAM
RAJAJINAGAR, BENGALURU - 560055
REF BY SRI UDAYA KUMAR
AGED ABOUT 51 YEARS,

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY
URBAN DEVELOPMENT DEPARTMENT
VIDHANA SOUDHA
BENGALURU-560 001

2. THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU-560 002
3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N R CIRCLE, BENGALURU-560 002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL HEARING);
SRI SREENIDHI V., AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY THE 2ND RESPONDENT COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF I.T./E.T BUILDING LICENSE/SANCTION PLAN AS CONTAINED IN ANNEXURE-F, AND THE DEMAND NOTICE ISSUED BY THE 3RD RESPONDENT - ADDITIONAL DIRECTOR DATED 06.07.2018, AS CONTAINED IN ANNEXURE-G ETC.

IN WRIT PETITION No.30066/2018

BETWEEN

1. DR. S V PRASAD
AGED ABOUT 59 YEARS
S/O LATE S VENKATESU
NARAYANADRI HOSPITAL
RENIGUNTA ROAD,
TIRUPATHI-517 506
2. SMT AMRUTHAVALLI
AGED ABOUT 56 YEARS

W/O S V PRASAD,
NARAYANADRI HOSPITAL
RENIGUNTA ROAD,
TIRUPATHI-517 506

... PETITIONERS

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA,
DR AMBEDKAR VEEDHI,
BENGALURU - 560 001
2. BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE. BENGALURU - 560 002
REPRESENTED BY ITS COMMISSIONER
3. THE ASSISTANT DIRECTOR (TOWN PLANNING)
RAJARAJESHWARI NAGAR ZONE,
BRUHAT BANGALORE MAHANAGARA PALIKE,
RAJARAJESHWARI NAGAR,
BENGALURU - 560 098.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL
HEARING);
SRI SREENIDHI V., AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE DEMAND NOTICE DATED 6.4.2018 AT ANNEX-F
ISSUED BY R-3 ONLY IN SO FAR AS THE DEMAND OF
RS.16,84,884/- TOWARDS THE GROUND RENT AND GST
OF RS.3,03,272/- ETC.

IN WRIT PETITION No.30415/2018

BETWEEN

H V VENTURE PROJECTS PVT LTD
(UNIT OF HABITAT VENTURES)
#26, SHANKARMUTT ROAD
BASAVANAGUDI
BENGALURU-560 004
REP BY ITS DIRECTOR
MR. BHASKAR T. NAGENDRAPPA

... PETITIONER

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY
URBAN DEVELOPMENT DEPARTMENT
VIDHANA SOUDHA
BENGALURU-560 001
2. THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE,
BENGALURU-560 002
3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N R CIRCLE,
BENGALURU-560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY THE 2ND RESPONDENT COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUES OF MULTI STORIED BUILDING LICENSE/SANCTION PLAN AS CONTAINED IN ANNEXURE-J, AND THE DEMAND NOTICE ISSUED BY THE 3RD RESPONDENT - ADDITIONAL DIRECTOR DATED 06.07.2018, AS CONTAINED IN ANNEXURE-K ETC.

IN WRIT PETITION No.30867/2018

BETWEEN

M/S CORNERSTONE BAY EAST DEVELOPERS PVT LTD
OFFICE AT: CORNERSTONE HOUSE,
583, 9TH MAIN, OFF CMH ROAD,
INDIRANAGAR I STAGE, BENGALURU - 38

REP BY ITS GPA HOLDER,
M/S MYSORE PROJECTS PVT LTD,
REGD.OFFICE AT 29TH FLOOR,
WORLD TRADE CENTRE,
BRIGADE GATEWAY CAMPUS,
26/1, DR.RAJKUMAR ROAD, MALLESHWARAM,
RAJAJINAGAR, BENGALURU - 560 055

REP. BY ITS AUTHORIZED SIGNATORY,
MR. UDAYA KUMAR A.

... PETITIONER

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
HOME DEPARTMENT,

VIDHANA SOUDHA,
BENGALURU-560001

2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU-560002
3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKDE,
N.R.CIRCLE,
BENGALURU-560002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY THE 2ND RESPONDENT COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF I.T/B.T BUILDING LICENSE/SANCTION PLAN AS CONTAINED IN ANNEXURE-E, AND THE DEMAND NOTICE ISSUED BY THE 2ND RESPONDENT COMMISSIONER DATED 11.07.2018, AS CONTAINED IN ANNEXURE-F ETC.

IN WRIT PETITION No.33013/2018

BETWEEN

SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT 1956
AND HAVING ITS REGISTERED AND

CORPORATE OFFICE AT
SOBHA SARJAPUR MARTHAHALLI
OUTER RING ROAD (ORR)
DEVERABEESANAHALLI BELLANDUR POST
BENGALURU – 560 103
REPRESENTED BY ITS AUTHORISED SIGNATORY
MR RAGHAVENDRA N R
AGED ABOUT 39 YEARS

... PETITIONER

(BY SRI SANJAY NAIR, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA
DR. AMBEDKAR VEEDHI
BENGALURU - 560 001
2. BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560 002
REPRESENTED BY ITS COMMISSIONER
3. JOINT DIRECTOR
TOWN PLANNING (SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560 002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYE-LAWS 3.9 IN THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAWS, 2003
(ANNEXURE-A) AS UNCONSTITUTIONAL, ILLEGAL AND
ULTRA VIRES ETC.

IN WRIT PETITION No.33406/2018**BETWEEN**

THE SOCIETY OF THE SERVANTS OF
THE HOLY SPIRIT,
A SOCIETY REGISTERED UNDER THE
KARNATAKA SOCIETIES REGISTRATION ACT
HAVING ITS REGISTERED OFFICE
AT CONVENT OF THE HOLY SPIRIT,
BANNERGHATTA ROAD,
BENGALURU – 560 076.

REPRESENTED BY ITS GPA HOLDER
M/S ASHED PROPERTIES AND INVESTMENTS (PVT) LTD.,
A COMPANY INCORPORATED UNDER PROVISIONS
OF INDIAN COMPANIES ACT
HAVING REGISTERED OFFICE AT NO.154/1
SAMEER HOUSE, WHEELER ROAD
FRASER TOWN, BENGALURU - 560005
REPRESENTED BY ITS
MANAGING DIRECTOR: MR SAMEER A KHAN

... PETITIONER

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA
DR AMBEDKAR VEEHDI
BENGALURU - 560001
2. THE BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002
REPRESENTED BY ITS COMMISSIONER

3. THE JOINT DIRECTOR
TOWN PLANNING(SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE DATED 6.7.2018 AT ANNEX-E ISSUED BY R-3 IN SO FAR AS THE DEMAND OF RS.27,82,898/- TOWARDS THE GROUND RENT, RS.5,00,922/- TOWARDS TDS ON GROUND REND AND RS.54,35,859/- TOWARDS THE LICENSE FEE ETC.

IN WRIT PETITION No.34265/2018

BETWEEN

1. SRI C.THIMMA REDDY
S/O LATE CHIKKA ABBAIAH,
AGED 62 YEARS,
R/AT KUDLU VILLAGE,
SARJAPURA HOBLI,
ANEKAL TALUK,
BENGALURU RURAL DISTRICT.
2. SRI C. MUNI REDDY
S/O LATE CHIKKA ABBAIAH,
AGED 61 YEARS,
R/AT NO.337, 2ND CROSS,
22ND MAIN ROAD,
BTM LAYOUT,
BENGALURU - 560 076.

3. SMT.NAGARATHNAMMA
AGED 57 YEARS,
D/O LATE CHIKKA ABBAIAH,
W/O SRI KRISHNAMURTHY,
R/AT MUNNEKOLAL
MARATHAHALLI POST,
BENGALURU – 560 037.
4. SRI SUDARSHAN REDDY
AGED 60 YEARS,
S/O LAKSHMAIAH REDDY,
HUSBAND OF LATE BAGYAMMA,
R/AT NO.7, ROOPENA AGRAHARA,
KUDLU VILLAGE, SARJAPUR HOBLI,
BENGALURU SOUTH TALUK,
BENGALURU URBAN DISTRICT.
5. SMT.S.KAVITHA
AGED 33 YEARS,
D/O SUDARSHAN REDDY AND
LATE.SMT. BHAGYAMMA,
R/AT NO.7, ROOPENA AGARAHARA,
KUDLU VILLAGE, SARJAPUR HOBLI,
BENGALURU SOUTH TALUK,
BENGALURU URBAN DISTRICT.
6. SMT.S.MAMATHA
AGED 32 YEARS,
D/O SUDARSHAN REDDY AND
LATE SMT.BHAGYAMMA,
R/AT NO.7, ROOPENA AGRAHARA,
KUDLU VILLAGE, SARJAPUR HOBLI,
BENGALURU SOUTH TALUK,
BENGALURU URBAN DISTRICT.

REPRESENTED BY THEIR GPA HOLDER,
M/S. G.K.SHELTERS (P) LTD.,
A COMPANY INCORPORATED UNDER PROVISIONS
OF INDIAN COMPANIES ACT,
HAVING REGISTERED OFFICE AT NO.27,

9TH MAIN ROAD, JAYANAGAR 3RD BLOCK,
BENGALURU – 560 011
REPRESENTED BY ITS MANAGING DIRECTOR,
SRI K.NARASIMHULU NAIDU.

... PETITIONERS

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR.AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. THE BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE,
BENGALURU – 560 002
REPRESENTED BY ITS COMMISSIONER.
3. THE JOINT DIRECTOR TOWN PLANNING (SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE DEMAND NOTICE DATED 12.04.2018 AT
ANNEXURE-J ISSUED BY THE RESPONDENT NO.3
DEMANDING A SUM OF RS.10,74,000/- TOWARDS THE
GROUND RENT AND ETC.,

IN WRIT PETITION No.35728/2018**BETWEEN**

M. MR RAMAIAH
S/O LATE SRI RANGASWAMAPPA,
AGED ABOUT 72 YEARS,
RESIDING AT GOKULA HOUSE,
GOKULA MATHIKERE,
BENGALURU - 560 054.
REPRESENTED BY HIS GPA HOLDER,
M/S A & G ENTERPRISES,
REGD. OFFICE AT: SNS CHAMBER,
#239, SANKEY ROAD, BENGALURU - 80
REPRESENTED BY ITS PARTNER,
GAURAV AHUJA.

... PETITIONER

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU – 560 001.
2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.
3. THE ASSISTANT DIRECTOR
TOWN AND COUNTRY PLANNING (WEST)
BRUHAT BENGALURU MAHANAGARA PALIKE,
BASHYAM PARK, SHESHADRIPURAM,
BENGALURU – 560 003.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE CIRCULAR ISSUED BY THE 2ND RESPONDENT COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF I.T/B/T BUILDING LICENSE/SANCTION PLAN AS CONTAINED IN ANNEXURE-E, AND THE DEMAND NOTICE ISSUED BY THE 3RD RESPONDENT ASSISTANT DIRECTOR BEARING DEMAND NOTICE DATED 13.07.2018, AS CONTAINED IN ANNEXURE-F AND ETC.,

IN WRIT PETITION No.36017/2018

BETWEEN:

VASWANI ESTATES DEVELOPERS PRIVATE LIMITED
BEING A COMPANY INCORPORATED
UNDER THE COMPANIES ACT 1956
HAVING ITS REGISTERED OFFICE AT
NO.30, VICTORIA ROAD
BENALURU - 560 047.

REPRESENTED BY ITS DIRECTOR
MR. ARUN A. ADVANI

... PETITIONER

(BY MS. NAYANTARA FOR SRI G. L. VISHWANATH,
ADVOCATES (PHYSICAL HEARING))

AND:

1. STATE OF KARNATAKA
REPRESENTED BY PRINCIPAL SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA

AMBEDKAR VEEDI
BENGALURU - 560 001.

2. BRUHAT BANGALORE MAHANAGARA PALIKE
REPRESENTED BY ITS COMMISSIONER
N.R.SQUARE
BENGALURU - 560 002.
3. JOINT DIRECTOR (TOWN PLANNING-NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE
BENGALURU - 560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 & R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ENDORSEMENT DATED 10.07.2018 AT ANNEXURE-J ISSUED BY RESPONDENT NO.3 INsofar AS IT SEEKS TO RECOVER RS.67,61,057/- AS GROUND RENT AND GST OF RS.12,16,990/- AT THE RATE OF 18% LEVIED ON THE GROUND RENT FROM THE PETITIONER COMPANY AND ETC.,

IN WRIT PETITION No.41121/2018

BETWEEN

1. M/S ICKON PROJECTS
A PARTNERSHIP FIRM,
REGISTERED UNDER THE PROVISIONS OF
PARTNERSHIP ACT, 1932 AND
HAVING ITS REGISTERED OFFICE AT :
2ND FLOOR, 11/2, NEW JAYADEVA HOSTEL
COMMERCIAL COMPLEX,

5TH MAIN ROAD, GANDHINAGAR,
BENGALURU – 560 009

REPRESENTED BY ITS POWER OF ATTORNEY
HOLDER: M/S SOBHA LIMITED.

2. M/S SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT 1956 AND HAVING ITS
REGISTERED AND CORPORATE OFFICE AT:
SOBHA, SARJAPUR-MARTHAHALLI OUTER RING
ROAD (ORR), DEVERABEESANAHALLI,
BELLANDUR POST,
BENGALURU - 560103
REPRESENTED BY ITS AUTHORIZED SIGNATORY
MR.RAGHAVENDRA N R

... PETITIONERS

(BY SRI VEERESH R. BUDIHAL FOR M/S.ANUP S. SHAH
LAW FIRM, ADVOCATES)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU - 560001
2. BRUHAT BANGALORE MAHANAGARA PALIKE
N.R SQUARE,
BENGALURU - 560002
REPRESENTED BY ITS COMMISSIONER
3. JOINT DIRECTOR
TOWN PLANNING (SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N.R SQUARE,

BENGALURU - 560002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DECLARE THE BYELAWS 3.9 OF THE BANGALORE MAHANAGARA PALIKE BUILDING BYE-LAWS 2003 (ANNEXURE-A) AS UNCONSTITUTIONAL, ILLEGAL AND ULTRA VIRES ETC.

IN WRIT PETITION No.41409/2018

BETWEEN

1. OMAR FAROOK
AGED ABOUT 56 YEARS
S/O A SHAKOOR
2. SMT NASIMAFAROOK
AGED ABOUT 48 YEARS
W/O OMAR FAROOK

BOTH ARE RESIDING AT
NO.315, 8TH CROSS ROAD,
LAKSHMI ROAD
SHANTHINAGAR
BENGALURU - 560027

PETITIONERS ARE REPRESENTED BY THEIR
GENERAL POWER OF ATTORNEY HOLDER
M/S BREN CORPORATION PVT LTD
THIRD FLOOR, BALAVANA,
PLOT NO.61, 5TH A BLOCK,
KORAMANGALA, BENGALURU - 560095

BY ITS MANAGING DIRECTOR
SRI J BOOPESH REDDY

... PETITIONERS

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKASSOUDHA
DR AMBEDKAR VEEDHI
BENGALURU - 560001
2. THE BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU - 560002
REPRESENTED BY ITS COMMISSIONER
3. THE JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARAPALIKE
N.R.SQUARE,
BENGALURU - 560002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE DEMAND NOTICE DTD: 7.9.2018 AT
ANNEXURE-F ISSUED BY THE R-3 IN SO FAR AS THE
DEMAND OF RS.33,28,989/- TOWARDS THE GROUND
RENT, RS.2,99,609/- + RS.2,99,609/- TOWARDS GST AND
RS.66,84,763/- TOWARDS LICENSE FEE ETC.

IN WRIT PETITION No.42748/2018

BETWEEN

SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956
AND HAVING ITS OFFICE AT
SARJAPUR-MARTHAHALLI OUTER RING ROAD (ORR)
DEVERABESANAHALLI, BELLANDUR POST
BENGALURU-560 103

REPRESENTED BY ITS AUTHORISED SIGNATORY
MR RAGHAVENDRA N R

... PETITIONER

(BY SRI SANJAY NAIR, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR VIKAS SOUDHA
DR. AMBEDKAR VEEDHI, BENGALURU-560 001
2. BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE, BENGALURU-560 002
REPRESENTED BY ITS COMMISSIONER
3. JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
ANNEX BUILDING N R SQUARE
BENGALURU-560 002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;

SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DECLARE THE BYELAWS 3.9 OF THE BANGALORE MAHANAGARA PALIKE BUILDING BYE-LAWS 2003 AT ANNEX-A AS UN-CONSTITUTIONAL, ILLEGAL AND ULTRA VIRES ETC.

IN WRIT PETITION No.45817/2018

BETWEEN

1. M/S. MEDA CONSTRUCTIONS
A PARTNERSHIP FIRM HAVING ITS REGISTERED
OFFICE AT H.NO.8-2-268/1/D/A
PLOT NO.7, AURORA COLONY,
ROAD NO.3 BANJARA HILLS,
HYDERABAD – 560 0034
REPRESENTED BY ITS MANAGING PARTNER
M.SAI KRISHNA REDDY.

2. M.RAGHUNADHA REDDY
S/O M.RAMA KRISHNA REDDY,
AGED ABOUT 53 YEARS,
RESIDING AT H NO.8-2-416/A,
ROAD NO.4, BANJARA HILLS,
HYDERABAD – 560 034.

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE (PHYSICAL HEARING))

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
HOME DEPARTMENT,

VIDHANA SOUDHA,
BENGALURU – 560 001.

2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.
3. THE ADDITIONAL DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHATH BENGALURU MAHANAGARA PALIKE,
N R SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CIRCULAR ISSUED BY R-2 DATED 4.9.2015
LEVYING FEES FOR ISSUE OF I.T / B.T. BUILDING
LICENSE / SANCTION PLAN AS, AS CONTAINED IN ANNEX-
E, AND THE DEMAND NOTICE ISSUED BY R-3 DEMAND
NOTICE DATED 4.9.2018 VIDE ANNEX-F AND ETC.,

IN WRIT PETITION No.52417/2018

BETWEEN

1. SRI VIJAYARAGHAVA REDDY
SON OF LATE SRI B.NARAYANA REDDY,
AGED ABOUT 62 YEARS.
2. SRI N.RAVINDRA REDDY
SON OF LATE SRI B.NARAYANA REDDY,
AGED ABOUT 60 YEARS.

3. SRI N.RAMESH
SON OF LATE SRI B.NARAYANA REDDY,
AGED ABOUT 55 YEARS.

PETITIONERS 1 TO 3 ARE
RESIDING AT NO.61, SEETHARAM PALYA,
MAHADEVAPURA POST,
BENGALURU – 560 048.

REPRESENTED BY THEIR
POWER OF ATTORNEY HOLDER
M/S BRIGADE ENTERPRISES LTD.,
HAVING ITS REGISTERED OFFICE AT
29TH AND 30TH FLOOR, WORLD TRADE CENTER,
26/1, BRIGADE GATEWAY,
DR. RAJKUMAR ROAD, MALLESWARAM,
RAJAJINAGAR, BENGALURU – 560 055
REP. BY MR. UDAYA KUMAR
AGED ABOUT 51 YEARS.

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY
HOME DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU - 560 001.
2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU – 560 002.

3. THE ADDITIONAL DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU -- 560 002.
... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY THE R-2 COMMISSIONER DTD:4.9 2015 LEVYING FEES FOR ISSUE OF OCCUPANCY CERTIFICATE, AS CONTAINED IN ANNEXURE-E, AND THE DEMAND NOTICE ISSUED BY THE R-3 ADDITIONAL DIRECTOR DTD:14.11.2018 AS CONTAINED IN ANNEXURE-H AND ETC.,

IN WRIT PETITION No.53220/2018

BETWEEN

L & T CONSTRUCTIONS EQUIPMENT LIMITED –
REALTY DIVISION
(A WHOLLY OWNED SUBSIDIARY OF
LARSEN & TOUBRO LIMITED)
A COMPANY UNDER THE COMPANIES ACT 2013,
HAVING ITS REGISTERED OFFICE AT
L & T HOUSE, N M MARG,
BALLARD ESTATE,
MUMBAI - 400 001
MAHARASHTRA INDIA,
HAVING ITS CORPORATE OFFICE AT

BELLARY ROAD, BYATARAYANAPURA,
BENGALURU-560092

REPRESENTED BY ITS AUTHORIZED SIGNATORY,
MR K CHANDRASHEKAR.

... PETITIONER

(BY SRI SUDHEER H.M. AND SRI S. GURU PRASANNA,
FOR M/S. ANUP S. SHAH LAW FIRM, ADVOCATES)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU-560001
KARNATAKA INDIA.
2. BRUHAT BANGALORE MHANAGARA PALIKE
REPRESENTED BY ITS COMMISSIONER,
N.R.SQUARE, BENGALURU-560002
KARNATAKA, INDIA.
3. JOINT DIRECTOR (TOWN PLANNING -NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N R SQUARE, BENGALURU-560002
KARNATAKA, INDIA

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THAT R-3 IS NOT EMPOWERED TO DEMAND OR
RECEIVE GROUND RENT WHEN PUBLIC LAND IS NOT

USED FOR STOCKING OR STORING OF THE BUILDING MATERIALS ETC.

IN WRIT PETITION No.57548/2018

BETWEEN

M/S SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956 AND HAVING ITS
REGISTERED AND CORPORATE OFFICE AT:
"SOBHA", SARJAPUR-MARATAHALLI
OUTER RING ROAD (CRR),
DEVERABEESANAHALLI, BELLANDUR POST,
BENGALURU-560103.

REPRESENTED BY ITS AUTHORISED SIGNATORY,
MR.RAGHAVENDRA N R .

... PETITIONER

(BY SRI SANJAY NAIR AND SRI KEMPEGOWDA FOR
M/S. ANUP S. SHAH LAW FIRM, ADVOCATES)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU-560001.
2. BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE,
BENGALURU-560002.
REPRESENTED BY ITS COMMISSIONER.

3. JOINT DIRECTOR
TOWN PLANNING (SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU-560002.
... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DECLARE THE BYE LAW NO.3.9 OF THE BANGALORE MAHANAGARA PALIKE BUILDING BYE-LAWS 2003 (ANNEXURE-A) AS UNCONSTITUTIONAL, ILLEGAL AND ULTRA VIRES ETC.

IN WRIT PETITION No.57893/2018

BETWEEN

1. PURAVANKARA LIMITED
(FORMERLY PURAVANKARA PROJECTS LTD)
A COMPANY INCORPORATED UNDER THE
PROVISIONS OF THE COMPANIES ACT, 1956
HAVIANG ITS REGISTERED OFFICE
AT 130/1, ULSOOR ROAD,
BENGALURU – 566 043.
2. MR.A.RAMA REDDY
S/O A.R.ASHWATHNARAYANA REDDY,
AGED ABOUT 45 YEARS,
RESIDING AT NO.453, 15TH CROSS ROAD,
LAKKASANDRA LAYOUT,
BENGALURU – 560 030.

3. MR.H.P.RAMA REDDY
S/O LATE CHIKKAAPPAIAH,
AGED ABOUT 71 YEARS,
RESIDING AT NO.255, 36TH CROSS ROAD,
5TH MAIN ROAD, 4TH BLOCK,
JAYANAGAR,
BENGALURU – 560 011.
4. MR.KIRAN V
S/O MR.VENUGOPAL REDDY,
AGED ABOUT 41 YEARS,
RESIDING AT NO.1140,
17TH CROSS ROAD,

7TH SECTOR, HSR LAYOUT,
BENGALURU – 560 034.
5. MR.PRANEETH P
S/O MR.N.C.PUTTAPPA,
AGED ABOUT 45 YEARS,
R/AT NO.690/H-1,
14TH MAIN, OPP. VET SCHOOL,
2ND PHASE, J P NAGAR,
BENGALURU – 560 078.
6. MR.R.BABU REDDY
S/O MR.RAGHURAM REDDY,
AGED ABOUT 45 YEARS,
RESIDING AT NO.690/H-1,
14TH MAIN, OPP. VET SCHOOL,
2ND PHASE, JP NAGAR,
BENGALURU – 560 078.

ALL ARE REPRESENTED BY THEIR GPA
PURVA STAR PROPERTIES PVT. LIMITED,
(A WHOLLY OWNED SUBSIDIARY OF
PURAVANKARA PROJECTS LTD.,)
NO.130/1, ULSOOR ROAD,

BENGALURU – 560 042
REPRESENTED BY ITS
AUTHORISED SIGNATORY
B.PRAVEEN KUMAR.

... PETITIONERS

(BY SRI JOSEPH ANTHONY, ADVOCATE)

AND

1. STATE OF KARNATAKA
URBAN DEVELOPMENT DEPARTMENT
VIKASA SOUDHA,
BENGALURU – 560 001

REPRESENTED BY
THE CHIEF SECRETARY.

2. BRUHAT BENGALURU MAHANAGARA PALIKE
HUDSON CIRCLE,
BENGALURU – 560 027
REPRESENTED BY
THE COMMISSIONER.

3. JOINT DIRECTOR (TOWN PLANNING)
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.CIRCLE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 & R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
BYE-LAW 3.9 OF THE BANGALORE MAHANAGARA PALIKE
BUILDING BYE-LAWS, 2003 AS UNCONSTITUTIONAL,
ARBITRARY, ILLEGAL AND ULTRA-VIRES AND ETC.,

IN WRIT PETITION No.15/2019

BETWEEN

SAPTHAGIRI BUILDERS & DEVELOPERS
REPRESENTED BY ITS PARTNER
SRI V ANANDA
AGED ABOUT 59 YEARS
R/AT NO.119, SY.NO.17
8TH CROSS, 30TH MAIN
BSK 2ND STAGE
BENGALURU-560 070

... PETITIONER

(BY SRI VASANTHAPPA, ADVOCATE)

AND

1 . THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKASSOUDHA
AMBEDKAR VEEDHI
BENGALURU-560 001

2 . THE COMMISSIONER
BRUHATH BENGALURU MAHANAGARA PALIKE
N R SQUARE
BENGALURU-560 002

3 . JOINT DIRECTOR
TOWN PLANNING BENGALURU SOUTH
BRUHATH BENGALURU MAHANAGARA PALIKE
N R SQUARE
BENGALURU-560 002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ENDORSEMENT, DATED 06.07.18 MARKED AS ANNEXURE-G TO THIS WRIT PETITION AND ISSUE DIRECTION TO THE R-2 AND 3 TO ISSUE SANCTION PLAN.

IN WRIT PETITION No.59/2019

BETWEEN

- 1 . SRI KRISHANAMA RAJU
S/O K RAMARAJU
AGED ABOUT 73 YEARS
- 2 . SRI K PRAVEEN RAJU
S/O K R KRISHNAMA RAJU
AGED ABOUT 43 YEARS
- 3 . SMT V GOWRAMMA
W/O LATE K R NARAYANA RAJU
AGED ABOUT 71 YEARS
- 4 . SRI K N MAHESH
S/O LATE K R NARAYANA RAJU
AGED ABOUT 37 YEARS

PETITIONER NOS.1 TO 4 ARE
ALL RESIDING AT 144
12TH CROSS,
J P NAGAR II PHASE
BENGALURU-560 078

... PETITIONERS

(BY SRI SAMMITH.S., ADVOCATE)

AND

- 1 . THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDITIONAL

CHIEF SECRETARY
HOME DEPARTMENT
VIDHANA SOUDHA
BENGALURU-560 001

- 2 . THE COMMISSIONER
BRUHAT BENGALURU MAHANGARA PALIKE
N R SQUARE
BENGALURU-560 002
- 3 . THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (SOUTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE
BENGALURU-560 002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R1,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R2 & R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CIRCULAR ISSUED BY THE R-2 DATED
4.9.2015 LEVYING FEES FOR ISSUE OF BUILDING
LICENSE / SANCTIONPLAN AS, AS THE R-3 DATED
12.12.2018 VIDE ANNEX-G & ETC.,

IN WRIT PETITION No.529/2019

BETWEEN

M/S VENKATESHWARA DISTILLERIES
A PARTNERSHIP FIRM HAVING ITS
REGISTERED OFFICE AT NO.29/A
KHB INDUSTRIAL AREA
YELAHANKA NEW TOWN
BENGALURU-560 064

REPRESENTED BY ITS
POWER OF ATTORNEY HOLDER
M/S DSR INFRASTRUCTURE PVT. LTD.
A PRIVATE LIMITED COMPANY HAVING ITS
REGISTERED OFFICE AT DSR TRANQUIL
PLOT NO.901, #101, AYYAPPA SOCIETY MAIN ROAD
MADHAPUR, HYDERABAD-500 081
REPRESENTED BY ITS AUTHORISED SIGNATORY
MR K S SATYANARAYANA REDDY

... PETITIONER

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY
HOME DEPARTMENT
VIDHANA SOUDHA
BENGALURU-560 001
2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE, BENGALURU-560 002
3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE, BENGALURU-560 002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CIRCULAR ISSUED BY THE R-2
COMMISSIONER DTD: 4.9.2015 LEVYING FEES FOR ISSUE

OF BUILDING LICENSE/SANCTION PLAN AS CONTAINED IN ANNEXURE-E, AND THE DEMAND NOTICE ISSUED BY THE R-3 ADDITIONAL DIRECTOR DTD:14.12.2018 AS CONTAINED IN ANNEXURE-F ETC.

IN WRIT PETITION No.1281/2019

BETWEEN

1. M/S DSR INFRASTRUCTURE PVT. LTD.,
A PRIVATE LIMITED COMPANY HAVING ITS
REGISTERED OFFICE AT DSR TRANQUIL,
PLOT NO. 901 # 101,
AYYAPPA SOCIETY MAIN ROAD,
MADHAPUR, HYDERABAD – 500 081
REPRESENTED BY ITS AUTHORISED SIGNATORY,
MR.K.S.SATYANARAYANA REDDY.
2. SRI KRISHNA PRASUNA HOMES PVT. LTD.,
A PRIVATE LIMITED COMPANY HAVING ITS
REGISTERED OFFICE AT
ROAD NO.44, JUBILEE HILLS,
HYDERABAD – 500 034
REPRESENTED BY ITS
AUTHORIZED SIGNATORY,
MR.V.KRISHNA REDDY.
3. SRI M. VENKAT KRISHNA REDDY
S/O LATE M.RAMACHANDRA REDDY,
AGED ABOUT 58 YEARS,
RESIDING AT PLOT NO.91/B,
ROAD NO.2, 'SAGAR SOCIETY', BANJARA HILLS,
HYDERABAD – 500 034.

REPRESENTED BY POWER OF ATTORNEY HOLDER
PETITIONER NO.1
4. SMT. YARRAMREDDY SYAMALAMMA

W/O SRI Y. HARAGOPAL REDDY
AGED ABOUT 73 YEARS,
RESIDING AT KOTTUR VILLAGE,
INDUKURPET MANDAL
NELLORE DISTRICT-524 314
REPRESENTED BY POWER OF
ATTORNEY HOLDER PETITIONER NO.1.

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
HOME DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU – 560 001.
2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.
3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH),
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1(PHYSICAL
HEARING);
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CIRCULAR ISSUED BY R-2 COMMISSIONER

DATED 4/9/2015 LEVYING FEES FOR ISSUE OF BUILDING LICENSE/SANCTION PLAN AS, AS CONTAINED IN ANNEXURE-E, AND THE DEMAND NOTICE ISSUED BY R-3 ADDITIONAL DIRECTOR DATED 28/11/2018, AS CONTAINED IN ANNEXURE-F AND ETC.,

IN WRIT PETITION No.1705/2019

BETWEEN

- 1 . V. S. BALASUBRAMANYAM
AGED 83 YEARS,
S/O LATE V S SHESHA IYER
- 2 . SMT KALAVATI
AGED 60 YEARS,
W/O V S BALASUBRAMANYAM

BOTH ARE RESIDING AT NO.13
4TH MAIN ROAD, 1ST CROSS, CHAMARAJPET
BENGALURU-560 027

PETITIONERS ARE REPRESENTED BY THIER
GENERAL POWER OF ATTORNEY HOLDER
M/S MBR HOMES PVT LTD.,
NO.1, 2ND FLOOR, 39TH F CROSS,
18TH MAIN, JAYANAGAR, 4TH T BLOCK,
BENGALURU-560 041
BY ITS DIRECTOR SRI RAJAT PRASAD

... PETITIONERS

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

- 1 . STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA

DR AMBEDKAR VEEDHI
BENGALURU-560 001

2 . THE BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE
BENGALURU-560 002
REPRESENTED BY ITS COMMISIONER

3 . THE JOINT DIRECTOR
TOWN PLANNING (SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE
BENGALURU-560 002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE DEMAND NOTICE DATED 09.01.2019 AT ANNEXURE-
E ISSUED BY THE R-3 ONLY IN SO FAR AS THE DEMAND
OF RS.59,37,300/- TOWARDS THE GROUND RENT AND
GST OF RS.10,68,714/- AND SCRUTINY FEE OF
RS.2,96,865/- & ETC.,

IN WRIT PETITION No.7040/2019

BETWEEN

M/S. REGULUS DEVELOPERS PVT LTD
A COMPANY INCORPORATED UNDER PROVISIONS OF
COMPANIES ACT 2013,
HAVING REGISTERED OFFICE AT NO 3,
LAVELLE ROAD,
BENGALURU - 560001

REPRESENTED BY ITS DIRECTOR
SRI B V BHARATH

... PETITIONER

(BY SRI T P VIVEKANANDA, ADVOCATE)

AND

- 1 . STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA
DR AMBEDKAR VEEDHI
BENGALURU - 560001
- 2 . THE BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE
BENGALURU - 560002
REPRESENTED BY ITS COMMISSIONER
- 3 . THE JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE
BENGALURU - 560002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R1,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R2 & R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE DEMAND NOTICE DTD.7.2.2019 AT
ANNEXURE-D ISSUED BY THE R-3 IN SO FAR AS THE
DEMAND OF RS.4,24,344.00 TOWARDS SCRUTINY FEE,
RS.84,86,874.00 TOWARDS LICENSE FEE, RS.78,68,545.00
TOWARDS GROUND RENT GST.

IN WRIT PETITION No.9699/2019**BETWEEN**

1. SOUL SPACE PROJECTS LIMITED
A COMPANY INCORPORATED UNDER THE
PROVISIONS OF THE COMPANIES ACT,
HAVING ITS OFFICE AT 'SOUL SPACE PARADIGM'
4TH FLOOR, NEAR HOTEL PARK PLAZA,
OUTER RING ROAD, MARATHAHALLI,
BENGALURU : 560 037 HEREIN
REPRESENTED BY ITS AUTHORISED SIGNATORY
SRI D.K.SHARMA
S/O LATE RAM GOPAL SHARMA,
HINDU, AGED ABOUT 49 YEARS.
2. SRI N.S.NANJAPPA REDDY
S/O LATE SHAMAIAH REDDY,
AGED ABOUT 85 YEARS.
3. SMT.ROJAMMA ALIAS SAROJAMMA
W/O NANJAPPA REDDY,
AGED ABOUT 76 YEARS.
4. SRI BABU REDDY
S/O NANJAPPA REDDY,
AGED ABOUT 57 YEARS.
5. SMT. SUNDANDA
D/O NANJAPPA REDDY,
AGED 54 YEARS.
6. SRI VISHWANATH REDDY AND
S/O NANJAPPA REDDY
AGED 51 YEARS.
7. SRI SURESH
S/O NANJAPPA REDDY
AGED 49 YEARS

ALL RESIDENT OF DODDANEKUNDI VILLAGE
VARTHUR HOBLI-3, BENGALURU EAST TALUK

PETITIONER NO.2 TO 7 HEREIN ARE
REPRESENTED BY THEIR
GENERAL POWER OF ATTORNEY HOLDER
MR D.K.SHARMA
S/O LATE SRI RAM GOPAL SHARMA,
AGED 49 YEARS.

... PETITIONERS

(BY SRI S.GANESH SHENOY, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY TO
URBAN DEVELOPMENT DEPARTMENT,
MS BUILDING, DR.AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. BRUHATH BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU: 560 002
REPRESENTED BY ITS COMMISSIONER.
3. THE JOINT DIRECTOR (TOWN PLANNING NORTH)
BRUHATH BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE DEMAND NOTICE DTD:14.2.2019 DTD: 14.2.2019 AT

ANNEXURE-D ISSUED BY THE R-3 IN SO FAR AS THE DEMAND OF RS.29,30,603-00 TOWARD THE GROUND RENT AND OF RS.31,60,897-00-00 TOWARDS LICENSE FEE AND ETC.,

IN WRIT PETITION No.9940/2019

BETWEEN

1. M/S DSR INFRASTRUCTURE PVT. LTD.,
A PRIVATE LIMITED COMPANY HAVING ITS
REGISTERED OFFICE AT DSR TRANQUIL
PLOT NO.901, #101,
AYYAPPA SOCIETY MAIN ROAD,
MADHAPUR,
HYDERABAD -- 500 081.
REPRESENTED BY ITS
AUTHORISED SIGNATORY
MR K.S.SATYANARAYANA REDDY.
2. SRI M.VENKAT KRISHNA REDDY
S/O LATE M.RAMACHANDRA REDDY,
AGED ABOUT 58 YEARS,
RESIDING AT PLOT NO.99/B, SAGAR
CO- OPERATIVE HOUSING SOCIETY,
ROAD NO.2, BANJARA HILLS,
HYDERABAD-500034
3. SRI K.S.SATYANARAYANA REDDY
S/O LATE SARREDDY
AGED ABOUT 51 YEARS
RESIDING AT ROW HOUSE NO.141,
DSR ELITE, MAHADEV PURA
BENGALURU – 560 048.
4. SMT. P. SUSHILAMMA
W/O LATE SRI R KANTHARAJU SHETTY
AGED ABOUT 65 YEARS
RESIDING AT SRI BALAJI STORES

1ST MAIN ROAD, MEDAHALLI VILLAGE
VIRGO NAGAR POST
BENGALURU - 560 049.

5. SRI BALAJI
S/O LATE SRI R.KANTHARAJU SHETTY
AGED ABOUT 45 YEARS
RESIDING AT SRI BALAJI STORES
1ST MAIN ROAD, MEDAHALLI VILLAGE
VIRGO NAGAR POST
BENGALURU – 560 049.

PETITIONER NOS.2 TO 5 REPRESENTED BY
THEIR POWER OF ATTORNEY HOLDER,
PETITIONER NO.1,
M/S DSR INFRASTRUCTURE PVT. LTD.,
A PRIVATED LIMITED COMPANY HAVING ITS
REGISTERED OFFICE AT
DSR TRANQUIL, PLOT NO.901
#101, AYYAPPA SOCIETY MAIN ROAD,
MADHAPUR, HYDERABAD – 500 0081
REPRESENTED BY ITS AUTHORISED SIGNATORY
MR K.S SATYANARAYANA REDDY.

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
LABOUR DEPARTMENT,
VIKASA SOUDHA,
BENGALURU – 560 001.
2. THE UNDERSECRETARY
MINISTRY OF LABOUR,
VIKASA SOUDHA,
BENGALURU – 560 001.

3. THE COMMISSIONER
BANGALORE DEVELOPMENT AUTHORITY,
T. CHOWDAIAH ROAD,
KUMARAPARK WEST
BENGALURU-560020
4. TECHNICAL ADVISOR-4
BANGALORE DEVELOPMENT AUTHORITY
T. CHOWDAIAH ROAD
KUMARAPARK WEST
BENGALURU – 560 020.

... RESPONDENTS

(BY SRI SRINIVAS GOWDA, AGA FOR R1 AND R2;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE GOVERNMENT ORDER ISSUED BY THE R-2 DATED 18.01.2007 AND THE CORRIGENDUM THEREIN DATED 28.02.2007 MANDATING UPFRONT COLLECTION OF LABOUR WELFARE CESS, AS CONTAINED IN ANNEXURE-L AND THE DEMAND NOTICE ISSUED BY THE R-4 ON 14.12.2018, AS CONTAINED IN ANNEXURE-M IN SO FAR AS THE LABOUR WELFARE CESS AND ETC.,

IN WRIT PETITION No.11063/2019

BETWEEN

M/S. NANDI HOUSING PVT. LTD.,
A COMPANY INCORPORATED
UNDER THE COMPANIES ACT 1956,
HAVING ITS REGISTERED OFFICE
AT NO.46, 36TH MAIN,
BTM DOLLAR SCHEME,

BENGALURU – 560 068
REPRESENTED BY ITS DIRECTOR
SRI THOMAS J.OLLAPALLY

... PETITIONER

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. THE BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU – 560 002
REPRESENTED BY ITS COMMISSIONER.
3. THE JOINT DIRECTOR
TOWN PLANNING (SOUTH),
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE DTD:20.2.2019 AT ANNEXURE-E ISSUED BY THE R-3 ONLY INsofar AS THE DEMAND OF RS.9,90,151/- TOWARDS GROUND RENT AND GST OF RS.1,78,228/- INsofar AS BLOCK-2 IS CONCERNED AND A SUM OF RS.53,88,550/- TOWARDS GROUND RENT AND GST OF RS.9,69,939/- IN RESPECT OF BLOCK-1 IS CONCERNED, DEMAND OF SUM OF RS.7,98,097/- TOWARDS SECURITY DEPOSIT AND LICENSE FEE OF RS.7,17,302/- AND ETC.

IN WRIT PETITION No.11386/2019

BETWEEN

M/S B & B INFRASTRUCTURE LTD.,
A COMPANY REGISTERED UNDER
THE COMPANIES ACT, 1956,
HAVING ITS REGISTERED OFFICE
AT NO.37, 4TH CROSS,
AGA ABBAS ALI ROAD, ULSOOR,
BENGALURU – 560 042
REPRESENTED BY ITS
MANAGING DIRECTOR,
MR.S.K. BHASKAR RAJU.

... PETITIONER

(BY SRI T.P.VIVEKANANDA, ADVOCATE (PHYSICAL
HEARING))

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. THE BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU – 560 002
REPRESENTED BY ITS COMMISSIONER.
3. THE JOINT DIRECTOR
TOWN PLANNING (SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI V.SRINIDHI A/W SMT.SINCHANA M.R., ADVOCATE
FOR R2 AND R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE DEMAND NOTICE DATED 01.03.2019 AT
ANNEXURE - E ISSUED BY THE R-3 IN SO FAR AS HE
DEMAND OF RS. 5,29,078/- TOWARDS SCRUTINY FEE,
RS.28,83,094/- TOWARDS LICENSE FEE, RS. 27,00,036/-
TOWARDS GROUND RENT & GST AND ETC.,

IN WRIT PETITION No.13495/2019

BETWEEN

M/S SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER,
THE COMPANIES ACT, 1956
AND HAVING ITS REGISTERED AND
CORPORATE OFFICE AT
'SOBHA', SARJAPUR-MARTHAHALLI
OUTER RING ROAD, (ORR)
DEVARABEESANAHALLI, BELLANDUR POST,
BENGALURU - 560 103.
REPRESENTED BY ITS
AUTHORISED SIGNATORY
MR. RAGHAVENDRA N.R
AGED ABOUT 39 YEARS.

... PETITIONER

(BY SRI K.G.RAGHAVAN, SENIOR COUNSEL A/W
SRI SANJAY NAIR, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS ,

PRINCIPAL SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU – 560 001.

2. BRUHAT BANGALORE MAHANAGARA PALIKE
REPRESENTED BY ITS COMMISSIONER,
N.R. SQUARE,
BENGALURU – 560 002.
3. JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N.R. SQUARE,
BENGALURU - 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYELAWS NO.3.9 OF THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAWS 2003
(ANNEXURE-A) AS UNCONSTITUTIONAL, ILLEGAL AND
ULTRA VIRES AND ETC.,

IN WRIT PETITION No.14266/2019

BETWEEN

M/S RMZ AZURE PROJECTS PVT. LTD.,
A COMPANY INCORPORATED UNDER THE PROVISIONS OF
THE COMPANIES ACT 1956
(FORMERLY KNOWN AS GMR HEBBAL TOWERS PRIVATE
LIMITED)
HAVING ITS REGISTERED OFFICE AT

“THE MILLENIA” TOWER-B, LEVEL 12-14
NO.1 & 2, MURPHY ROAD, ULSOOR
BENGALURU - 560 008
REPRESENTED BY ITS AUTHORIZED SIGNATORY
MR. JAYAKUMAR K

... PETITIONER

(BY SRI. PRAKASH B.N., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF URBAN DEVELOPMENT,
4TH FLOOR, VIKASA SOUDHA
AMBEDKAR VEEDHI,
BENGALURU - 560 001.
- 2 . BRUHATH BENGALURU MAHANAGARA PALIKE
N.R.SQUARE,
BENGALURU - 560 002
REPRESENTED BY ITS COMMISSIONER
- 3 . JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE
BENGALURU - 560 002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE DEMAND NOTICE DATED 25.03.2019 ISSUED
BY THE R-3, BBMP AT ANNEXURE-A, SO FAR AS IT

RELATES TO CLAIM MADE FOR PAYMENT OF GROUND RENT IS CONCERNED & ETC.,

IN WRIT PETITION No.18873/2019

BETWEEN

M/S. UKN ESPERANZA
A PARTNERSHIP FIRM,
NO.12, ST. PATRICK'S ARCADE,
RESIDENCY ROAD,
BENGALURU – 560 025

REPRESENTED BY ITS
AUTHORIZED SIGNATORY,
SUDHIR KUMAR MISHRA

WITH PLACE OF BUSINESS AT
10TH FLOOR, GAMMA BLOCK,
SIGMA SOFTTECH PARK,
NO.7, WHITEFIELD-VARTHUR MAIN ROAD,
BENGALURU – 560 066.

... PETITIONER

(BY SRI IAN LEWIS & SMT.VEENA H.R., ADVOCATES)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF URBAN DEVELOPMENT,
4TH FLOOR, VIKASA SOUDHA,
BENGALURU – 560 001.
2. BRUHAT BANGALORE MAHANAGAR PALIKE
N.R. SQUARE,
BENGALURU – 560 002,
REPRESENTED BY
ITS COMMISSIONER.

3. THE JOINT DIRECTOR
TOWN PLANNING,
BRUHAT BANGALORE MAHANAGAR PALIKE
N.R. SQUARE,
BENGALURU – 560 002.

... RESPONDENTS

(BY SRI SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 & R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE DIRECTION DECLARING BYE-LAW NO.3.9 OF THE BANGALORE MAHANAGAR PALIKE BUILDING BYE-LAWS, 2003 (ANNEXURE-A) AS UNCONSTITUTIONAL, ILLEGAL AND ULTRA VIRES AND ETC.,

IN WRIT PETITION No.19335/2019

BETWEEN

1. M/S SJR PRIME SPECTRUM PVT LTD
A REGISTERED COMPANY,
NO.1, SJR PRIMUS,
7TH BLOCK, 7TH FLOOR,
KORAMANGALA INDUSTRIAL AREA,
BENGALURU - 560095
REP BY ITS BUSINESS
DEVELOPMENT OFFICER
2. SRI Y VENUGOPALA REDDY
AGED 72 YEARS,
S/O YELLAPPA REDDY,
R/AT ARAKERE VILLAGE,
BEGUR HOBLI,

BENGALURU SOUTH TALUK,
REP BY HIS GENERAL POWER OF
ATTORNEY HOLDER
M.S. SJR PRIME SPECTRUM PVT. LTD.
A REGISTERED COMPANY
NO.1, SJR PRIMUS,
7TH BLOCK, 7TH FLOOR,
KORAMANGALA INDUSTRIAL AREA,
BENGALURU - 560095

... PETITIONERS

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REP BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEEDHI,
BEANGALURU - 560 001
2. THE BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU - 560 002,
REP. BY ITS COMMISSIONER
3. THE JOINT DIRECTOR
TOWN PLANNING (SOUTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU - 560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL
HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE DTD: 23.4.2019 AT ANEXURE-F ISSUED BY THE R-3 ONLY IN SO FAR AS THE DEMAND OF RS.60,21,900/- TOWARDS GROUND RENT, GST, AT 18% ON THE GROUND RENT AT RS.10,83,942/- LICENSE FEE OF RS.37,32,583/- IN RESPECT OF ISSUE OF MODIFIED BUILDING PLAN AND FURTHER DEMAND OF RS.4,81,67,130/- TOWARDS GROUND RENT AND GST AT 18% ON THE GROUND RENT AT RS.86,70,083/- AND SCRUTINY FEE OF RS.15,32,590/- IN RESPECT OF ISSUE OF OCCUPANCY CERTIFICATE ETC.

IN WRIT PETITION No.19746/2019

BETWEEN

1. SRI VENKATA KRISHNA REDDY
AGED 54 YEARS,
S/O V VENKATA RAMI REDDY
R/AT PENT HOUSE NO.1,
VARS FERNDALE APARTMENTS
1ST MAIN, KODIHALLI
HAL 2ND STAGE
BENGALURU - 560 008.
2. M/S SUBHODAYARAGA INFRA PVT LTD.,
A REGISTERED COMPANY
HAVING ITS OFFICE AT NO.144,
12TH MAIN, 23RD CROSS,
3RD BLOCK, JAYANAGAR,
BENGALURU - 560 011.
3. DR. KRISHNA T V REDDY
AGED 66 YEARS,
S/O LATE T.V.CHALAMA REDDY
R/AT NO.501, 6TH FLOOR,
WINDSOR CASTLE
NO.50/1, PALACE ROAD,

NO.125, CUNNINGHAM ROAD
BENGALURU - 560 052.

REPRESENTED BY THEIR GPA HOLDER
M/S ANKURAA SAI NITYA VENTURES
A REGISTERED PARTNERSHIP FIRM
HAVING ITS REGISTERED OFFICE AT
NO. NALLURAHALLI (V)
BENGALURU EAST - 560 066
BY ITS MANAGING PARTNERS
SRI P. BALASUBRAMANYAM AND
SRI G MADHUKAR

... PETITIONERS

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001.
2. THE BRUHAT BENGALURUR MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU - 560 002
REPRESENTED BY ITS COMMISSIONER
3. THE JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU - 560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL
HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE DTD: 25.07.2018 AT ANNEXURE-D ISSUED BY THE R-3 IN SO FAR AS THE DEMAND OF RS.10,85,994/- TOWARDS GROUND RENT, CGST AT RS.97,740/-AND SGST AT RS.97,740/- ON GROUND RENT, SECURITY DEPOSIT OF RS.24,13,321/- AND LICENSE FEE OF RS.21,70,488/- ETC.

IN WRIT PETITION No.21988/2019

BETWEEN

1. SMT MALLIKA BEGUM
W/O LATE D. SYED ABBAS,
AGED ABOUT 80 YEARS
2. SRI D. SYED NOORUL HASSAN
S/O LATE D.SYED ABBAS,
AGED ABOUT 63 YEARS

BOTH PETITIONER NOs.1 & 2
RESIDING AT #168, ARMSTRONG ROAD,
BENGALURU - 560001.

BOTH PETITIONER NO. 1 & 2
REPRESENTED BY POWER OF
ATTORNEY HOLDER
M/S EMBASSY CLASSIC PVT. LTD.,
A PRIVATE LIMITED COMPANY HAVING
ITS REGISTERED OFFICE AT 101/102,
EMBASSY CHAMBERS,
5, VITTAL MALLYA ROAD,
BENGALURU - 560001
REPRESENTED BY ITS
MANAGING DIRECTOR,
SRI JAIKISHEN VIRWANI

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
HOME DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU - 560001
 2. THE COMMISSIONER,
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R. SQUARE, BENGALURU-560002
 3. THE JOINT DIRECTOR,
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R. SQUARE, BENGALURU - 560002
- ... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL
HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CIRCULAR ISSUED BY THE R-2
COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR
ISSUE OF BUILDING LICENSE/SANCTION PLAN AS, AS
CONTAINED IN ANNEX-E, AND THE DEMAND NOTICE
ISSUED BY THE R-3 ADDITIONAL DIRECTOR AND
DEMAND NOTICE DATED 01.02.2018, AS CONTAINED IN
ANNEX-F ETC.

IN WRIT PETITION No.22316/2019

BETWEEN

M/S PARAG CONSTRUCTIONS AND DEVELOPERS

NO.3/1, J P TECHNO PARK
4TH FLOOR, MILLERS ROAD,
BENGALURU - 560 042
REP. BY ITS AUTHORIZED SIGNATORY
MR.U.VIVEKANANDA NAYAK
S/O UMANATH NAYAK U

AGED ABOUT 45 YEARS.

... PETITIONER

(BY SRI CHANDAN K., ADVOCATE)

AND

1. STATE OF KARNATAKA
REP. BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU-560 001.
2. BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU-560 002
REP. BY COMMISSIONER
3. JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU-560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL
HEARING)

SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DIRECT DECLARING THE BYE-LAW NO.3.9 OF BBMP
BUILDING BYE-LAW 2003 AS UNCONSTITUTIONAL
ILLEGAL AND ULTRA VIRES ETC.

IN WRIT PETITION No.22389/2019

BETWEEN

1. SRI H R NARAYANASWAMY
AGED ABOUT 52 YEARS,
RESIDING AT NO. 16,
ANNAPOORNESHWARI NILAYA,
1ST CROSS, NANJAPPA GARDEN,
BABUSABA PALYA, KALYAN NAGAR POST,
BENGALURU 560043,
2. SRI ATHIQUE AHMED
AGED ABOUT 49 YEARS,
RESIDING AT NC.26/3,
1ST MAIN ROAD, GANGANAGAR,
BENGALURU - 560032

BOTH THE PETITIONERS
REPRESENTED BY ITS
POWER OF ATTORNEY HOLDER
M/S MEENAKSHI ESTATES,
A PARTNERSHIP FIRM
HAVING ITS REGISTERED OFFICE
AT NO.529, SMR VINAY HILANDS,
MADEENAGUDA, HYDERABAD – 500 049
REPRESENTED BY ITS MANAGING PARTNER
SRI K. YADIAH.

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDITIONAL
CHIEF SECRETARY,
HOME DEPARTMENT,

VIDHANA SOUDHA
BENGALURU-560001

2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R. SQUARE,
BENGALURU-560002
3. THE JOINT DIRECTOR,
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R. QUARE, BENGALURU - 560 002

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL
HEARING)

SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY THE R-2 COMMISSIONER DATED 04.09.2015 LEVYING FEES FOR ISSUE OF BUILDING LICENSE/SANCTION PLAN AS, AS CONTAINED IN ANNEX-E AND THE DEMAND NOTICE ISSUED BY THE R-3 ADDITIONAL DIRECTOR AND DEMAND NOTICE DATED 23.04.2019, AS CONTAINED IN ANNEX-F ETC.

IN WRIT PETITION No.22621/2019

BETWEEN

1. M/S DSR INFRASTRUCTURE PVT LTD
A PRIVATE LIMITED COMPANY HAVING ITS
REGISTERED OFFICE AT DSR TRANQUIL
PLOT NO.901, #101,
AYYAPPA SOCIETY MAIN ROAD
MADHAPUR, HYDERABAD-500 081

REPRESENTED BY ITS AUTHORISED SIGNATORY
MR K S SATYANARAYANA REDDY

2. SRI K RAGHURAM REDDY
SON OF LATE P T KONDA REDDY
AGED ABOUT 39 YEARS
3. SRI K JAYARAMA REDDY
SON OF LATE P T KONDA REDDY
AGED ABOUT 35 YEARS

PETITIONER NOS.2 TO 3 ARE
RESIDING AT GUNJUR PALYA
GUNJUR POST, VARTHUR HOBLI
BENGALURU EAST TALUK
BENGALURU

REPRESENTED BY THEIR
POWER OF ATTORNEY HOLDER
PETITIONER NO.1

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY
HOME DEPARTMENT
VIDHANA SOUDHA
BENGALURU-560 001
2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE,
BENGALURU-560 002

3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE, BENGALURU-560 002
... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1
(PHYSICAL HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY THE R-2 COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF OCCUPANCY CERTIFICATE AS CONTAINED IN ANNEX-E, AND THE DEMAND NOTICE ISSUED BY THE R-3 JOINT DIRECTOR AND DEMAND NOTICE DATED 27.05.2019, AS CONTAINED IN ANNEX-H.

IN WRIT PETITION No.23595/2019

BETWEEN

M/S SRINIDHI DESIGN BUILD PVT LTD
A PRIVATE LIMITED COMPANY HAVING ITS
OFFICE AT FLAT NO.401,
SRI EMERALK PARK,
NEXT TO VASVANI WHISPERING PALMS
MARATHAHALLI BENGALURU - 560037
REPRESENTED BY ITS
DIRECTOR MR B JAGADEESH
AGED ABOUT 58 YEARS

... PETITIONER

(BY SRI ZULFIKIR KUMAR SHAFI, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKASA SOUDHA
BENGALURU - 560001
REPRESENTED BY ITS SECRETARY
2. BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002
REPRESENTED BY ITS COMMISSIONER
3. THE JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
BBMP ANNEX BUILDING
N R SQUARE, BENGALURU - 560002

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1
(PHYSICAL HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE DEMAND NOTICE DATED 17.05.2019 ANNEXURE-A ISSUED BY R-3, CALLING UPON THE PETITIONER TO PAY AN AMOUNT OF RS.10,08,876.64 (RUPEES TEN LAKHS EIGHT THOUSAND EIGHT HUNDRED AND SEVENTY SIX AND PAISE SIXTY FOUR ONLY) TOWARDS GROUND RENT AND PAYMENT OF A SUM OF RS.18,99,956/- (RUPEES EIGHTEEN LAKHS NINETY NINE THOUSAND NINE HUNDRED AND FIFTY SIX ONLY) TOWARDS SECURITY DEPOSIT AND AN AMOUNT OF RS.29,14,000/- TOWARDS LABOUR WORK WELFARE FUND, FOR CONSTRUCTION OF RESIDENTIAL APARTMENT IN PROPERTY BEARING SY.NO.135/1B (OLD SY.NO.135/1) MEASURING AN EXTENT OF 2 ACRES OF

VIBHUTHIPURA VILLAGE, K.R.PURAM HOBLI, WARD NO.081 ZONE, AS A PREREQUISITE CONDITION FOR ISSUANCE OF PLAN AND LICENSE IN RESPECT OF THE PROJECT OF THE PETITIONER ETC.

IN WRIT PETITION No.23888/2019

BETWEEN

SIPANI PROPERTIES PVT LTD
NO.439, GROUND & 1ST FLOOR, 18TH MAIN,
6TH BLOCK, KORAMANGALA,
BENGALURU - 560095
REPRESENTED BY ITS DIRECTOR,
MR DINESH SIPANI.

... PETITIONER

(BY SRI PRASHANTH KUMAR D., ADVOCATE)

AND

1. STATE OF KARNATAKA
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU - 560001
REPRESENTED BY ITS SECRETARY
2. BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002
REPRESENTED BY ITS COMMISSIONER
3. JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N R SQUARE, BENGALURU - 560002

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1
(PHYSICAL HEARING))

SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DECLARE THE BYE-LAW 3.9 OF THE BANGALORE MAHANAGARA PALIKE BUILDING BYE-LAWS, 2003 AS UNCONSTITUTIONAL, ILLEGAL AND ULTRA-VIRES (ANNX-B) ETC.

IN WRIT PETITION No.24906/2019

BETWEEN

M/S FOUNTAIN REAL ESTATES AND DEVELOPERS
(PRESENTLY M/S BAGAMANE VENTURES
PRIVATE LIMITED)
REPRESENTED BY ITS
GENERAL POWER OF ATTORNEY HOLDER
M/S PRESTIGE ESTATES PROJECTS LIMITED
HAVING ITS REGISTERED OFFICE AT
THE FALCON HOUSE, NO 1,
MAIN GUARD CROSS ROAD,
BENGALURU - 560001
ACTING THROUGH ITS
AUTHORIZED SIGNATORY
MR T ARVIND PAI

... PETITIONER

(BY SRI NANDAKUMAR C.K, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY
URBAN DEVELOPMENT DEPARTMENT
VIDHANA SOUDHA
BENGALURU – 560 001

2. THE COMMISSIONER
BRUHAT BANGALORE MAHANAGARA PALIKE

N.R.SQUARE,
BENGALURU – 560 002.

3. THE JOINT DIRECTOR
TOWN AND COUNTY PLANNING SOUTH
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE
BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1,
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE ISSUED BY THE R-3 THE JOINT DIRECTOR PLANNING DTD:06.06.2019 [ANNEXURE-A] IN SO FAR AS IT RELATES TO THE DEMAND OF THE GROUND RENT AND THE GST THEREON TOTALLY AMOUNTING TO RS.98,18,112/- [RUPEES NINETY EIGHT LAKHS EIGHTEEN THOUSAND ONE HUNDRED TWELVE ONLY] AND ETC.,

IN WRIT PETITION No.25145/2019

BETWEEN

M/S SHOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER,
THE COMPANIES ACT, 1956
AND HAVING ITS REGISTERED AND
CORPORATE OFFICE AT,
'SOBHA', SARJAPUR-MARTHAHALLI
OUTER RING ROAD (ORR)
DEVARABEESANAHALLI, BELLANDUR POST,

BENGALURU – 560 103,
REP. BY ITS AUTHORISED SIGNATORY,
MR. RAGHAVENDRA N.R.

... PETITIONER

(BY SRI MADHUKAR DESHPANDE, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. BRUHAT BANGALORE MAHANAGARA PALIKE
REPRESENTED BY ITS COMMISSIONER,
N.R.SQUARE, BENGALURU – 560 002.
3. JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1
(PHYSICAL HEARING);
SRI SREENIDHI V & SMT.SINCHANA M.R., ADVOCATES
FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYELAWS NO.3.9 OF THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAWS 2003
[ANNEXURE-A] AS UNCONSTITUTIONAL, ILLEGAL AND
ULTRA VIRES; QUASH THE DEMAND NOTICE DTD:
06.06.2019 [ANNEXURE-B] ISSUED BY R-3 TO THE

EXTENT OF CLAIM MADE FOR PAYMENT OF RS.1,07,76,702/- [RUPEES ONE CRORE SEVEN LAKHS SEVENTY SIX THOUSAND AND SEVEN HUNDRED TWO ONLY] TOWARDS GROUND RENT AND RS.19,39,806/- [RUPEES NINETEEN LAKHS THIRTY NINE THOUSAND AND EIGHT HUNDRED SIX ONLY] TOWARDS GST ON THE SAID GROUND RENT AND ETC.

IN WRIT PETITION No.25167/2019

BETWEEN

1. M/S. ARATTUKULAM DEVELOPERS
A REGISTERD PARTNERSHIP FIRM
NO.739, ADJACENT TO CHEVROLET SHOWROOM,
HOSUR MAIN ROAD, SINGASANDRA,
BENGALURU - 560 068
REPRESENTED BY ITS
MANAGING PARTNER
SRI. TONY VINCENT

 2. SMT. M.R. JAMMUNARANI
AGED 55 YEARS
W/O SRI. K.A. SRINIVASMURTHY
R/AT NO.57/1, 1ST MAIN ROAD,
LAKSHMIPURA, HALASUR,
BENGALURU 560 008
REPRESENTED BY HER
GENERAL POWER OF ATTORNEY HOLDER
M/S ARATTUKULAM DEVELOPERS
A REGISTERED PARTNERSHIP FIRM,
NO.739, ADJACENT TO CHEVOROLET SHOWROOM
HOSUR MAIN ROAD,
SINGASANDRA, BENGALURU - 560 068
REPRESENTED BY ITS
MANAGING PARTNER
SRI. TONY VINCENT
- ... PETITIONERS
- (BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDA,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001.
2. THE BRUHAT BANGALORE MAHANGARA PALIKE
N.R. SQUARE, BENGALURU - 560 002.
REPRESENTED BY ITS COMMISSIONER.
3. THE JOINT DIRECTOR
TOWN PLANNING (SOUTH),
BRUHAT BANGALORE MAHANGARA PALIKE
N.R. SQUARE, BENGALURU 560 002.
... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1
(PHYSICAL HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE DATED 06.06.2019 AT ANN-X-E ISSUED BY THE R-3 ONLY IN SO FAR AS THE DEMAND OF RS.38,85,345/- AND FURTHER DEMANDING RS.6,99,362/- TOWARDS GST AT 18% AND SCRUTINY FEE OF RS.2,59,023/- IN RESPECT OF ISSUE OF OCCUPANCY CERTIFICATE ETC.

IN WRIT PETITION No.25459/2019

BETWEEN

1. M/S SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)

A COMPANY INCORPORATED UNDER THE
COMPANIES ACT, 1956
REGISTERED AND CORPORATE OFFICE AT
'SOBHA', SARJAPUR - MARATHAHALLI OUTER
RING ROAD(ORR)
DEVARABEESANAHALLI, BELLANDUR POST
BENGALURU - 560103
REPRESENTED BY ITS AUTHORISED SIGNATORY
MR RAGHAVENDRA N R

2. SMT GOWRAMMA
W/O SRI KEMPEGOWDA
AGED ABOUT 74 YEARS
R/A DODDAHALLAHALLI VILLAGE
KANAKAPURA TALUK
BENGALURU RURAL DISTRICT-562117
REPRESENTED BY HER POWER
OF ATTORNEY HOLDER
M/S. SOBHA DEVELOPERS LTD.,
AND ITS REPRESENTED BY
AUTHORISED SIGNATORY,
MR. RAGHAVENDRA N.R.

3. SRI D K SURESH
S/O SRI KEMPEGOWDA
AGED ABOUT 53 YEARS
R/A DODDAHALLAHALLI VILLAGE
KANAKAPURA TALUK
BENGALURU RURAL DISTRICT-562117
REPRESENTED BY HIS
POWER OF ATTORNEY HOLDER
M/S. SOBHA DEVELOPERS LTD.,
AND ITS REPRESENTED BY
AUTHORISED SIGNATORY,
MR. RAGHAVENDRA N.R.

... PETITIONERS

(BY SRI MADHUKAR DESHPANDE, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDA,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001.
2. THE BRUHAT BANGALORE MAHANGARA PALIKE
REPRESENTED BY ITS COMMISSIONER.
N.R. SQUARE, BENGALURU - 560 002.
3. THE JOINT DIRECTOR TOWN PLANNING (SOUTH),
BRUHAT BANGALORE MAHANGARA PALIKE
N.R. SQUARE, BENGALURU - 560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1
(PHYSICAL HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYELAWS NO.3.9 OF THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAWS 2003
(ANNEXURE-A) AS UNCONSTITUTIONAL, ILLEGAL AND
ULTRA VIRES ETC.

IN WRIT PETITION No.25462/2019**BETWEEN**

1. M/S SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER THE

COMPANIES ACT, 1956
REGISTERED AND CORPORATE OFFICE AT
'SOBHA', SARJAPUR - MARTHAHALLI OUTER
RING ROAD(ORR)
DEVARABEESANAHALLI, BELLANDUR POST
BENGALURU - 560103
REPRESENTED BY ITS AUTHORISED SIGNATORY
MR RAGHAVENDRA N R
... PETITIONER

(BY SRI MADHUKAR DESHPANDE, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA
AMBEDKAR VEEDHI
BENGALURU-560001
2. BRUHAT BANGALORE MAHANAGARA PALIKE
REPRESENTED BY ITS COMMISSIOENR
N R SQUARE, BENGALURU - 560002
3. JOINT DIRECTOR TOWN PLANNING(SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002
... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1
(PHYSICAL HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYELAWS NO.3.9 OF THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAWS 2003

(ANNEXURE-A) AS UNCONSTITUTIONAL, ILLEGAL AND ULTRA VIRES ETC.

IN WRIT PETITION No.25496/2019

BETWEEN

1. SRI. SRINIVASAMURTHY Y.M.
AGED 69 YEARS,
S/O LATE M V MUNIYAPPA,
R/AT NO.354, 13TH 'A' MAIN,
A SECTOR, YELAHANKA,
BENGALURU - 560064
2. SMT HEMALATHA
AGED 58 YEARS,
W/O LATE SRI CHIDANANDA Y C,
3. SRI Y C SUHAS
AGED 38 YEARS,
S/O LATE SRI CHIDANANDA Y C,

PETITIONERS NO.2 AND 3 ARE
R/AT NO.777, BASAVESHWARA NILAYA,
RAILWAY STATION ROAD, YELAHANKA OLD TOWN,
BENGALURU-560064

REPRESENTED BY THEIR GPA HOLDER,
M/S JKC VARMA AND ORS,
A REGISTERED PARTNERSHIP FIRM
HAVING ITS REGISTERED OFFICE AT
NO.11, 1ST 'A' MAIN, SECTOR-A,
YELAHANKA NEW TOWN, BENGALURU,
BY ITS MANAGING PARTNER
SRI JKC VARMA
(J. KRISHNA CHAITANYA VARMA)

... PETITIONERS

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR AMBEDKAR VEEDHI,
BENGALURU - 560001
2. THE BRUHAT BANGALORE
MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002
REPRESENTED BY ITS COMMISSIONER,
3. THE JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE
MAHANAGARA PALIKE,
N R SQUARE.
BENGALURU - 560002

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1
(PHYSICAL HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE DATED 04.06.2019 AT ANNEX-D ISSUED BY THE R-3 IN SO FAR AS THE DEMAND OF RS.3,06,810/- TOWARDS SCRUTINY FEE, RS.61,36,206/- TOWARDS LICENSE FEE, RS.32,61,164/- TOWARDS SECURITY DEPOSIT AND RS.56,89,140/- TOWARDS GROUND RENT AND CGST AND GST ON GROUND RENT ETC.,

IN WRIT PETITION No.27756/2019

BETWEEN

1. SMT. VIMALAMMA
W/O SRI M.GOVARDHAN,
AGED ABOUT 63 YEARS,
2. SRI M.GOVARDHAN
S/O LATE SRI R.MUNISWAMY REDDY,
AGED ABOUT 74 YEARS.
3. SRI G.GIRISH
S/O SRI M.GOVARDHAN
AGED ABOUT 43 YEARS,
4. SMT. SUMA NEELISH
W/O SRI NEELISH REDDY,
AGED ABOUT 41 YEARS,
RESIDING AT NO.3349, 5TH CROSS,
12TH MAIN, HAL 2ND STAGE,
INDIRANAGAR,
BENGALURU – 560 008.

PETITIONER NOS.1 TO 4 REPRESENTED BY ITS
POWER OF ATTORNEY HOLDER M/S BRR
HALMARK DEVELOPERS LLP
A PARTNERSHIP FIRM HAVING
ITS REGISTERED OFFICE AT NO.9,
SECOND FLOOR, 1ST MAIN, H.I.G.H. LAYOUT,
GANGANAGAR,
BENGALURU – 560 032 REPRESENTED BY ITS
DESIGNATED PARTNER
SRI B.RAMESH REDDY.

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
LABOUR DEPARTMENT,
VIKASA SOUDHA,
BENGALURU – 560 001.
2. THE UNDERSECRETARY
MINISTRY OF LABOUR,
VIKASA SOUDHA, BENGALURU – 560 001.
3. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU -- 560 002.
4. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU-560 002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 AND R2
(PHYSICAL HEARING)
SRI SREENIDHI V. AND SMT. SINCHANA M.R.,
ADVOCATES FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE GOVERNMENT ORDER ISSUED BY THE R-2 DTD18.1.2007 AND THE CORRIGENDUM THEREIN DTD28.2.2007 MANDATING UPFRONT COLLECTION OF LABOUR WELFARE CESS, AS CONTAINED IN ANNEXURE-C AND THE DEMAND NOTICE ISSUED BY THE R-4 ON DTD24.6.2019 AS CONTAINED IN ANNEXURE-D INSO FAR AS THE LABOUR WELFARE CESS ETC.

IN WRIT PETITION No.28990/2019

BETWEEN

M/S SOBHA HIGHRISE VENTURES PRIVATE LIMITED
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT 1956
REGISTERED AND CORPORATE OFFICE AT
SOBHA SARJAPUR MARTHAHALLI
OUTER RING ROAD (ORR)
DEVAREBEESANAHALLI BELLANDUR POST
BENGALURU - 560103
REPRESENTED BY ITS AUTHORISED SIGNATORY
MR RAGHAVENDRA N R

... PETITIONER

(BY SRI MADHUKAR DESHPANDE, ADVOCATE)

AND

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

2. BRUHATH BANGALORE MAHANAGARA PALIKE
REPRESENTED BY ITS COMMISSIONER
N R SQUARE, BENGALURU - 560002

3. JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHATH BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL
HEARING);
SRI SREENIDHI V., AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DECLARE THE BYELAWS NO.3.9 OF THE BANGALORE MAHANAGARA PALIKE BUILDING BYE-LAWS 2003 (ANNEXURE-A) AS UNCONSTITUTIONAL, ILLEGAL AND ULTRA VIRES ETC.

IN WRIT PETITION No.28992/2019

BETWEEN

1. M/S SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER THE COMPANIES ACT 1956
REGISTERED AND CORPROATE OFFICE AT SOBHA SARJAPUR MARTHAHALLI
OUTER RING ROAD (ORR)
DEVARABEESANAHALLI BELLANDUR POST
BENGALURU - 560103
REPRESENTED BY ITS AUTHORISED SIGNATORY
MR RAGHAVENDRA N R

 2. M/S RAO BAHADUR B P ANNASWAMY
CIE PUBLIC TRUST AT NO.59
MOORE ROAD, FRAZER TOWN,
BENGALURU-560005
REPRESENTED BY ITS MANAGING
TRUSTEE-CUM-SECERTARY
SRI V P MANOHAR
- ... PETITIONERS
- (BY SRI MADHUKAR DESHPANDE, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKASA SOUDHA

AMBEDKAR VEEDHI
BENGALURU - 560001

2. BRUHAT BANGALORE MAHANAGARA PALIKE
REPRESENTED BY ITS COMMISSIOENR
N R SQUARE, BENGALURU - 560002
3. JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL
HEARING);
SRI SREENIDHI V., AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYELAWS NO.3.9 OF THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAWS 2003
(ANNEXURE-A) AS UNCONSTITUTIONAL, ILLEGAL AND
ULTRA VIRES ETC.

IN WRIT PETITION No.29271/2019

BETWEEN

M/S SHUBHACHANDI GRIHA NIRMAN PVT. LTD.,
A PRIVATE LIMITED COMPANY HAVING ITS
CORPORATE OFFICE AT NO.3,
SALARPURIA WINDSOR
4TH FLOOR, ULSOOR ROAD,
BENGALURU - 560 042
REPRESENTED BY ITS DIRECTOR
SRI B.M.JAYESHANKAR

... PETITIONER

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY
HOME DEPARTMENT
VIDHANA SOUDHA
BENGALURU - 560 001.
 2. THE UNDERSECRETARY
MINISTRY OF LABOUR
VIKASA SOUDHA
BENGALURU - 560 001.
 3. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIE
N.R.SQUARE, BENGALURU - 560 002.
 4. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU - 560 002.
- ... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 AND R2
(PHYSICAL HEARING);
SRI SREENIDHI V., AND SMT. SINCHANA M.R.,
ADVOCATES FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE GOVERNMENT ORDER ISSUED BY THE R-2 DTD:18.1.2007 AND THE CORRIGENDUM THEREIN DTD: 28.2.2007 MANDATING UPFRONT COLLECTION OF LABOUR WELFARE CESS, AS CONTAINED IN ANNEXURE-C CIRCULAR ISSIED BY THE R-2 COMMISSIONER DTD4.9.2015 LEVYING FEES FOR ISSUE OF BUILDING LICENSE/SANCTION PLAN AS CONTAINED IN ANNEXURE-D, AND THE DEMAND NOTICE ISSUED BY THE R-3

ADDITIONAL DIRECTOR DTD: 24.6.2019 AS CONTAINED IN
ANNEXURE-E ETC.

IN WRIT PETITION No.29296/2019

BETWEEN

BODHI NIKETAN TRUST
A REGISTERED TRUST HAVING
ITS OFFICE AT NO.68,
CMI ASHRAM,
K. NARAYANAPURA VILLAGE,
KOTHANUR WARD NO.25,
BENGALURU – 560 077
REPRESENTED BY ITS
AUTHORIZED SIGNATORY
FR. LIJO P. THOMAS

... PETITIONER

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
LABOUR DEPARTMENT,
VIKASA SOUDHA,
BENGALURU – 560 001.
2. THE UNDERSECRETARY
MINISTRY OF LABOUR,
VIKASA SOUDHA,
BENGALURU – 560 001.
3. THE COMMISSIONER
BRUHAT BENGALURU
MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU – 560 002.

4. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R. SQUARE,
BENGALURU-560002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 & R2
(PHYSICAL HEARING);
SRI SREENIDHI V & SMT.SINCHANA M.R., ADVOCATES
FOR R3 & R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE GOVERNMENT ORDER ISSUED BY THE R-2 DATED 18.1.2007 AND THE CORRIGENDUM THEREIN DATED 28.02.2007 MANDATING UPFRONT COLLECTION OF LABOUR WELFARE CESS, AS CONTAINED IN ANNEX-A AND THE DEMAND NOTICE ISSUED BY THE R-4 ON 18.03.2019, AS CONTAINED IN ANNEX-B INsofar AS THE LABOUR WELFARE CESS AND ETC.

IN WRIT PETITION No.29578/2019

BETWEEN

1. M/S FERNS BUILDERS AND DEVELOPERS
A PARTNERSHIP FIRM HAVING ITS REGISTERED
OFFICE AT NO.95, AMARJYOTHI LAYOUT
INNER RING ROAD, DOMLUR
BENGALURU - 560 071
REPRESENTED BY ITS MANAGING PARTNER
SRI AUSTIN ROACH
2. SRI AUSTIN ROACH
SON OF LATE P A ROACH
AGED ABOUT 64 YEARS
RESIDING AT NO.5, 1ST MAIN ROAD

DEFENCE COLONY, INDIRANAGAR
BENGALURU - 560 038

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDITIONAL CHIEF
SECRETARY, HOME DEPARTMENT
VIDHANA SOUDHA, BENGALURU-560 001
2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE, BENGALURU-560 002
3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHATH BENGALURU MAHANAGARA PALIKE
N R SQUARE, BENGALURU-560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL
HEARING);
SRI SREENIDHI V., AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CIRCULAR ISSUED BY THE R-2
COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR
ISSUE OF OCCUPANCY CERTIFICATE, AS CONTAINED IN
ANNX-E, AND THE DEMAND NOTICE ISSUED BY THE R-3 -
JOINT DIRECTOR DATED 04.07.2019, AS CONTAINED IN
ANNX-F ETC.,

IN WRIT PETITION No.30168/2019**BETWEEN**

1. SRI M MUNISWAMY
SON OF LATE T R MUNISWAMAPPA
AGED ABOUT 74 YEARS,
2. SRI M ANJINAPPA
SON OF LATE T R MUNISWAMAPPA
AGED ABOUT 53 YEARS,
3. SRI M CHINNATHAYAPPA
SON OF LATE T R MUNISWAMAPPA
AGED ABOUT 62 YEARS,
4. SMT SHARADAMMA
WIFE OF LATE M JAYARAMAKRISHNA
AGED ABOUT 62 YEARS,
5. SMT NEELAMMA
WIFE OF LATE M RAMACHANDRA
AGED ABOUT 51 YEARS,
6. SMT M NEELAMMA
WIFE OF SRI CHINNAMARI
AGED ABOUT 51 YEARS,
7. SMT M JAYAMMA
WIFE OF MUNIYAPPA
AGED ABOUT 51 YEARS,
8. SMT M AKKAYAMMA
WIFE OF SRI C RAMAIAH
AGED ABOUT 73 YEARS,
9. SMT M PADMAMMA
WIFE OF SRI MUNIYAPPA
AGED ABOUT 61 YEARS,

10. SMT M PARVATHAMMA
WIFE OF LATE KRISHNAPPA
AGED ABOUT 65 YEARS,

PETITIONER NOS.1 TO 10 ARE
RESIDING AT RAMAGONDANAHALLI VILAGE
VARTHUR HOBLI BANGALORE

REPRESENTED BY THEIR
POWER OF ATTORNEY HOLDER
M/S VERACIOUS BUILDERS AND
DEVELOPERS PVT LTD
A PRIVATE LIMITED COMPANY HAVING
ITS REGISTERED OFFICE AT NO.302
OXFORD CHAMBERS,
RUSTUMBAGH AIRPORT ROAD,
BENGALURU - 560 017
REPRESENTED BY ITS MANAGING DIRECTOR
SRI K SREENIVASULU REDDY

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY
HOME DEPARTMENT
VIDHANA SOUDHA
BENGALURU-560 001
2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE,
BENGALURU-560 002

3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE, BENGALURU-560 002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 (PHYSICAL
HEARING);
SRI SREENIDHI V., AND SMT. SINCHANA M.R.,
ADVOCATES FOR R2 AND R3(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CIRCULAR ISSUED BY THE R-2
COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR
ISSUE OF OCCUPANCY CERTIFICATE, AS CONTAINED IN
ANNX-E, AND THE DEMAND NOTICE ISSUED BY THE R-3 -
JOINT DIRECTOR DATED 08.07.2019, AS CONTAINED IN
ANNX-F ETC.

IN WRIT PETITION No.38063/2019

BETWEEN

1. SRI M DAMODAR REDDY
S/O M.VENKU REDDY
AGED ABOUT 65 YEARS
2. SRI.M.SUREKHA
W/O M.DAMODAR REDDY,
AGED ABOUT 59 YEARS

PETITIONERS NO.1 AND 2 ARE
R/AT NO.12B, ANANTHAPURA VILLAGE,
ATTUR POST, YELAHANKA,

BENGALURU-560 064

3. SRI.M.SRIHARI REDDY
S/O M.RAJARAMI REDDY
AGED ABOUT 52 YEARS
R/AT ANANTHAPURA VILLAGE,
ATTUR POST, YELAHANKA,
BENGALURU-560 064.

PETITIONERS NO.1 TO 3 ARE
REP. BY THEIR POWER OF ATTORNEY HOLDER
M/S DSR INFRASTRUCTURE PVT LTD
A PRIVATE LIMITED COMPANY HAVING ITS
REGISTERED OFFICE AT DSR TRANQUIL,
PLOT NO.901 # 101,
AYYAPPA SOCIETY MAIN ROAD, MADHAPUR,
HYDERABAD-500 081

REP. BY ITS AUTHORISED SIGNATORY
MR. K.S. SATYANARAYANA REDDY

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REP BY ITS ADDITIONAL CHIEF SECRETARY
HOME DEPARTMENT
VIDHANA SOUDHA
BENGALURU-560 001.
2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU-560 002.
3. THE JOINT DIRECTOR
TOWN AND COUNTER PLANNING (NORTH)
BBMP, N.R.SQUARE, BENGALURU-560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY THE R-2 COMMISSIONER DTD4.9.2015 LEVYING FEES FOR ISSUE OF OCCUPANCY CERTIFICATE, AS CONTAINED IN ANNEXURE-D AND THE DEMAND NOTICE ISSUED BY THE R-3 JOINT DIRECTOR DTD:03.08.2019 AS CONTAINED IN ANNEXURE-H AND ETC.,

IN WRIT PETITION No.38832/2019

BETWEEN

KOLTE PATIL DEVELOPERS LIMITED
BEING A COMPANY INCORPORATED
UNDER THE COMPANEIS ACT, 1956
HAVING ITS REGISTERED OFFICE AT:
NO.17, CITY POINT, 2ND FLOOR,
DHOLE PATIL ROAD, PUNE - 411 001.
BRANCH OFFICE AT:
THE ESTATE NO.121
10TH FLOOR, DICKENSON ROAD
BENGALURU - 560 042.
REPRESENTED BY ITS
ATTORNEY HOLDER
MR.B.C.JAGDEESHA

... PETITIONER

(BY MS.NAYANTARA, ADVOCATE FOR
SRI G.L.VISHWANATH, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY PRINCIPAL SECRETARY

URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDI,
BENGALURU – 560 001.

2. BRUHAT BANGALORE MAHANAGARA PALIKE
REPRESENTED BY ITS COMMISSIONER
N.R.SQUARE,
BENGALURU – 560 002.
3. JOINT DIRECTOR (TOWN PLANNING - NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE,
BENGALURU – 560 002.
4. ASSISTANT ENGINEER (TOWN PLANNING - NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE,
BENGALURU – 560 002.
5. ASSISTANT DIRECTOR (TOWN PLANNING NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU – 560 002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 TO R5 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE DEMAND DTD:5.8.2019 ISSUED BY THE R-3 AT
ANNEXURE-R TO THE EXTENT OF RS.1,30,10,146 BEING
THE GROUND RENT, GST, AND SCRUTINY FEE
DEMANDED THEREIN AND ETC.,

IN WRIT PETITION No.39208/2019

BETWEEN

1. SMT. SNEHALATHA KHOLAY
AGED ABOUT 72 YEARS
(SENIOR CITIZEN BENEFIT NOT CLAIMED)
W/O. SRI. H.C. KHOLAY, RESIDING AT NO.53,
27TH MAIN ROAD, 1ST CROSS,
BTM 1ST STAGE, BENGALURU - 560068.

REPRESENTED BY HER POWER OF ATTORNEY
HOLDER M/S. DSR INFRASTRUCTURE PVT. LTD.

2. M/S. DSR INFRASTRUCTURE PRIVATE LIMITED
HAVING ITS REGISTERED OFFICE AT
DSR TRANQUIL, PLOT NO.901, #101,
AYYAPPA SOCIETY MAIN ROAD, MADHAPUR,
HYDERABAD-500081.

REPRESENTED BY ITS CEO AND AUTHORIZED
SIGNATORY MR. K.S. SATYANARAYANA REDDY

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY
HOME DEPARTMENT, VIDHANA SOUDHA
BENGALURU-560001.
2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R. SQUARE, BENGALURU-560002.
3. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE

N.R. SQUARE
BENGALURU-560002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR ISSUED BY THE R-2 COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF OCCUPANCY CERTIFICATE, AS CONTAINED IN ANNEXURE-E AND THE DEMAND NOTICE ISSUED BY THE R-3 JOINT DIRECTOR DTD: 16.8.2019 AS CONTAINED IN ANEXURE-H AND ETC.,

IN WRIT PETITION No.41698/2019

BETWEEN

M/S. SHYAMARAJU & COMPANY (INDIA) PVT. LTD.
A PRIVATE LIMITED COMPANY HAVING ITS REGISTERED
OFFICE AT DIVYASREE CHAMBERS, A-WING NO.11,
O'SHAUGNESSY ROAD, BENGALURU - 560025.
REPRESENTED BY ITS AUTHORISED SIGNATORY,
SRI RAGHAVENDRA SAANU.

... PETITIONER

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDITIONAL CHIEF
SECRETARY, HOME DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU-560001.

2. THE UNDER SECRETARY
MINISTRY OF LABOUR,
VIKASA SOUDHA,
BENGALURU-560001.
 3. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R. SQUARE, BENGALURU-560002.
 4. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R. SQUARE, BENGALURU-560002.
- ... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 AND R2;
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE GOVERNMENT ORDER ISSUED BY THE R-2 DATED 18.01.2007 AND THE CORRIGENDUM THEREIN DATED 28.02.2007 MANDATING UPFRONT COLLECTION OF LABOUR WELFARE CESS, AS CONTAINED IN ANNEX-C, CIRCULAR ISSUED BY THE R-2 COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF BUILDING LICENSE/SANCTION PLAN AS, AS CONTAINED IN ANNEX-D, AND THE DEMAND NOTICE ISSUED BY THE R-3 - ADDL. DIRECTOR DATED 18.07.2019, AS CONTAINED IN ANNEX-E ETC.

IN WRIT PETITION No.42396/2019

BETWEEN

M/S SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER

THE COMPANIES ACT 1956
REGISTERED AND CORPORATE OFFICE AT
'SOBHA', SARJAPUR - MARTHAHALLI
OUTER RING ROAD, (ORR)
DEVARABEESANAHALLI, BELLANDUR POST
BENGALURU - 560 103

REPRESENTED BY ITS AUTHORISED SIGNATORY
MR RAGHAVENDRA N R

... PETITIONER

(BY SRI MADHUKAR DESHPANDE, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA
DR. AMBEDKAR VEEDHI, BENGALURU - 560 001
2. BRUHAT BANGALORE MAHANAGARA PALIKE
REPRESENTED BY ITS COMMISSIONER
N R SQUARE, BENGALURU - 560 002
3. JOINT DIRECTOR
TOWN PLANNING (SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560 002
... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYELAWS NO.3.9 OF THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAWS 2003

(ANNEXURE-A) AS UNCONSTITUTIONAL, ILLEGAL AND
ULTRA VIRES ETC.

IN WRIT PETITION No.44811/2019

BETWEEN

1. SRI C. JAGANNATH NAIDU
AGED 75 YEARS,
S/O LATE CHINNAPPA NAIDU,
2. SMT VASANTHA J
AGED 67 YEARS,
W/O SRI C JAGANNATH NAIDU,
3. SRI J CHANDRASHEKAR
AGED 47 YEARS,
S/O C JAGANNATH NAIDU,
4. SRI J SHARAVANA
AGED 45 YEARS,
S/O SRI JAGANNATH NAIDU,

PETITIONERS NO.1 TO 4 ARE
R/AT NO.34, ITI LAYOUT,
B.NARAYANAPURA VILLAGE,
DOORVANI NAGAR,
BENGALURU - 560016

REPRESENTED BY THEIR GPA HOLDER
FOR PETITIONER NOS.1 TO 6
M/S SJR PRIME CORPORATION PVT LTD.,
A REGISTERED COMPANY,
NO.1, SJR PRIMUS, 7TH BLOCK,
7TH FLOOR, KORAMANGALA INDUSTRIAL AREA,
BENGALURU - 560 095
REPRESENTED BY ITS
ADDITIONAL DIRECTOR
SRI TEJUS REDDY

5. SRI N VENUGOPALA REDDY
AGED 64 YEARS,
S/O SRI NAGAPPA,
R/O SONNENAHALLI VILLAGE,
MAHADEVAPURA POST,
K R PURAM HOBLI,
BENGALURU EAST TALUK
6. SRI MADHUSUDHAN REDDY
AGED 36 YEARS,
S/O SRI VENUGOPAL REDDY,
R/OF SONNENAHALLI VILLAGE,
MAHADEVAPURA POST,
K R PURAM HOBLI,
BENGALURU EAST TALUK.
7. M/S SJR PRIME CORPORATION PVT LTD
A REGISTERED COMPANY,
NO.1, SJR PRIMUS,
7TH BLOCK, 7TH FLOOR,
KORAMANGALA INDUSTRIAL AREA,
BENGALURU - 560095
REPRESENTED BY ITS
ADDITIONAL DIRECTOR SRI TEJUS REDDY

... PETITIONERS

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR.AMBEDKAR VEEDHI,
BENGALURU - 560001
2. THE BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002
REPRESENTED BY ITS COMMISSIONER

3. THE JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N R SQUARE, BENGALURU - 560002
... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE DTD: 6.9.2019 AT ANNEXURE-E ISSUED BY THE R-3 ONLY IN SO FAR AS THE DEMAND OF SUM OF RS.25,70,408/- TOWARDS GROUND RENT AND GST AT 18% ON THE GROUND RENT AT RS.4,62,673/- LICENSE FEE OF RS.25,70,408/- SCRUTINY FEE OF RS.1,28,520/- IN RESPECT OF ISSUE OF OCCUPANCY CERTIFICATE AND MODIFIED PLAN ETC.

IN WRIT PETITION No.46939/2019

BETWEEN

M/S ADARSH DEVELOPERS
A PARTNERSHIP FIRM HAVING ITS REGISTERED OFFICE
AT NO.10, VITAL MALLYA ROAD,
REPRESENTED BY ITS
PARTNER AND AUTHORIZED SIGNATORY,
SRI B.M.JAYESHANKAR.

... PETITIONER

(BY SRI SAMMITH.S., ADVOCATE)

AND

1 . THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDITIONAL CHIEF
SECRETARY,

HOME DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU-560001.

- 2 . THE UNDERSECRETARY
MINISTRY OF LABOUR,
VIKASA SOUDHA,
BENGALURU-560001.
- 3 . THE COMMISSIONER
BRUHAT BENGALURU
MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU-560002.
- 4 . THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (SOUTH),
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE.
BENGALURU-560002.

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R1 & R2,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R3 & R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE GOVERNMENT ORDER ISSUED BY THE R-2
DATED 18.01.2007 AND THE CORRIGENDUM THEREIN
DATED 28.02.2007 MANDATING UPFRONT COLLECTION
OF LABOUR WELFARE CESS, AS CONTAINED IN ANNEX-B,
CIRCULAR ISSUED BY THE R-2 COMMISSIONER DATED
4.9.2015 LEVYING FEES FOR ISSUE OF BUILDING
LICENSE/SANCTION PLAN AS, AS CONTAINED IN ANNEX-C,
AND THE DEMAND NOTICE ISSUED BY THE R-3 ADDL.
DIRECTOR DATED 09.09.2019, AS CONTAINED IN ANNEX-D
AND ETC.,

IN WRIT PETITION No.50186/2019

BETWEEN

- 1 . SMT PARIMALA DESAI
W/O LATE DR. P.R.DESAI
AGED ABOUT 83 YEARS,
- 2 . SRI. ARVIND DESAI
S/O LATE DR. P.R. DESAI
AGED ABOUT 67 YEARS,
- 3 . DR. MOHINI N PRASAD
D/O LATE DR.P.R.DESAI,
AGED ABOUT 66 YEARS,
- 4 . DR KAMINI A RAO
D/O LATE DR P.R.DESAI,
AGED ABOUT 65 YEARS,
- 5 . DR. NALINI KRISHNAN
D/O LATE DR. P.R.DESAI
AGED ABOUT 63 YEARS,
- 6 . DR. ANIL DESAI
S/O LATE DR. P.R.DESAI
AGED ABOUT 55 YEARS,

PETITIONERS 1 TO 6 ARE ALL
RESIDING AT NO.6
KUMARA KRUPA ROAD
KUMARCOT LAYOUT, MADHAVANAGAR
BENGALURU - 560 001

PETITIONER NOS. 1-6 ARE
REPRESENTED BY THEIR GPA HOLDER

M/S ADARSH DEVELOPERS
HAVING ITS REGISTERED OFFICE AT

NO.10, VITTAL MALLYA ROAD,
BENGALURU - 560 001
REP. BY ITS AUTHORIZED SIGNATORY
SRI B.M.JAYESHANKAR

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

- 1 . THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDITIONAL CHIEF
SECRETARY
HOME DEPARTMENT
VIDHANA SOUDHA
BENGALURU - 560 001
- 2 . THE UNDERSECRETARY
MINISTRY OF LABOUR
VIKASA SOUDHA
BENGALURU - 560 001
- 3 . THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE,
BENGALURU - 560 002
- 4 . THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE
BENGALURU -560 002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R1 & R2,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R3 & R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE GOVERNMENT ORDER ISSUED BY THE R.2 DATED 18.01.2007 AND THE CORRIGENDUM THEREIN DATED 28.02.2007 MANDATING UPFRONT COLLECTION OF LABOUR WELFARE CESS, AS CONTAINED IN ANNEXURE-C, CIRCULAR ISSUED BY THE R.3 COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF BUILDING LICENSE/SANCTION PLAN AS, AS CONTAINED IN ANNEXURE-D, AND THE DEMAND NOTICE ISSUED BY THE R.4 ADDITIONAL DIRECTOR, DEMAND NOTICE DATED 17.10.2019, AS CONTAINED IN ANNEXURE-E AND ETC.,

IN WRIT PETITION No.5028C/2019

BETWEEN

M/S ADARSH HAVEN PVT LTD
A PRIVATE LIMITED COMPANY
HAVING ITS REGISTERED OFFICE AT
NO.10, VITTAL MALLYA ROAD
BENGALURU-560 001

REPRESENTED BY ITS AUTHORIZED SIGNATORY
SRI B M KARUNESH

... PETITIONER

(BY SRI SAMMITH.S., ADVOCATE)

AND

- 1 . THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDITIONL CHIEF
SECRETARY
URBAN DEVELOPMENT DEPARTMENT
VIDHANA SOUDHA
BENGALURU-560 001
- 2 . THE UNDER SECRETARY

MINISTRY OF LABOUR
VIKASA SOUDHA
BENGALURU-560 001

3 . THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE
BENGALURU-560 002

4 . THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE
BENGALURU-560 002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R1 & R2
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R3 & R4))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE GOVERNMENT ORDER ISSUED BY THE R.2 DATED 18.01.2007 AND THE CORRIGENDUM THEREIN DATED 28.02.2007 MANDATING UPFRONT COLLECTION OF LABOUR WELFARE CESS, AS CONTAINED IN ANNEXURE-C, CIRCULAR ISSUED BY THE R.2 COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF BUILDING LICENSE/SANCTION PLAN, AS CONTAINED IN ANNEXURE-D AND THE DEMAND NOTICE ISSUED BY THE R.3 ADDITIONAL DIRECTOR DEMAND NOTICE DATED 25.10.2019 AS CONTAINED IN ANNEXURE-E AND ETC.,

IN WRIT PETITION No.50442/2019

BETWEEN

1 . SMT. AMMAYYA @ AMMAYAMMA

W/O LATE G V NARASIMHAIAH
AGED ABOUT 80 YEARS,
RESIDING AT NO.355, 5TH MAIN,
NEAR JAIN TEMPLE, BSK I STAGE,
1ST BLOCK, SRINAGAR
BENGALURU-560050
REPRESENTED BY HER GPA HOLDER
M/S VASUNDRA BUILDER
BY ITS PARTNERS
SRI C SUBRAMANI
SRI V UMASHANKAR

2 . M/S VASUNDRA BUILDER
HAVING ITS OFFICE AT NO.321
BASEMENT FLOOR,
5TH CROSS ROAD,
5TH BLOCK, BSK 3RD STAGE,
3RD PHASE, BENGALURU-560085
REPRESENTED BY ITS PARTNERS

a. SRI C SUBRAMANI
S/O LATE CHINNASWAMY NAIDU
AGED ABOUT 49 YEARS,

b. SRI V UMASHANKAR
S/O SRI B VENKATARATHNAM NAIDU
AGED ABOUT 43 YEARS

... PETITIONERS

(BY SRI B. PRAMOD, ADVOCATE)

AND

1 . THE STATE OF KARNATAKA
THE URBAN DEVELOPMENT DEPARTMENT,
VIKASA SOUDHA,
DR B R AMBEDKAR VEEDHI
BENGALURU-560001
REPRESENTED BY ITS SECRETARY

- 2 . THE STATE OF KARNATAKA
THE LABOUR DEPARTMENT,
VIKASA SOUDHA
DR B R AMBEDKAR VEEDHI
BENGALURU-560001
REPRESENTED BY ITS UNDER SECRETARY
- 3 . BRUHATH BENGALURU MAHANAGARA PALIKE
N R SQUARE
BENGALURU-560002
REPRESENTED BY ITS COMMISSIONER
- 4 . THE ASSISTANT DIRECTOR
TOWN PLANNING (RAJARAJESHWARINAGARA)
BRUHATH BENGALURU MAHANAGARA PALIKE
18TH CROSS, IDEAL HOMES LAYOUT,
R R NAGAR, NEAR BESCOFFICE,
BENGALURU-560098

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R1 & R2,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R3 & R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CIRCULAR DTD.4.9.2015 ISSUED BY THE R.3
ANENXURE.E IN SO FAR AS PETITIONERS IS CONCERNED.

IN WRIT PETITION No.50652/2019

BETWEEN

- 1 . ALEKHYA PROPERTY DEVELOPMENTS PVT LTD
A PRIVATE LIMITED COMPANY HAVING ITS
REGISTERED OFFICE AT NO.10,
VITTAL MALLYA ROAD,

BENGALURU-560001
REPRESENTED BY ITS
AUTHORIZED SIGNATORY
SRI B M JAYESHANKAR

- 2 . SRI B S BHASKAR REDDY
S/O LATE SRI G SRINIVAS REDDY,
AGED ABOUT 60 YEARS,
(SENIOR CITIZEN BENEFIT NOT CLAIMED)
R/AT NO.A, SUNRISE VILLAS,
NEAR TRINITY MEADOWS,
BELLANDUR MAIN ROAD,
BELLANDUR POST,
BENGALURU-560037
- 3 . SRI S RUKMANGADAA
S/O LATE SRI G SRINIVAS REDDY,
AGED ABOUT 59 YEARS,
R/AT NO.697, 21ST CROSS,
22ND MAIN, SECTOR 2, HSR LAYOUT,
BENGALURU-560034
- 4 . SRI B S GOPAL
S/O LATE SRI G SRINIVAS REDDY,
AGED ABOUT 57 YEARS,
R/AT NO.2069, 24TH MAIN,
SECTOR 1, HSR LAYOUT,
BENGALURU-560034

PETITIONER NOS.2 TO 4 ARE
REPRESENTED BY THEIR GPA HOLDER
M/S ADARSH DEVELOPERS,
A PARTNERSHIP FIRM
HAVING ITS REGISTERED
OFFICE AT NO.10,
VITTAL MALLYA ROAD,
BENGALURU-560001

REPRESENTED BY ITS
PARTNER AND AUTHORIZED

SIGNATORY SRI B.M.JAYESHANKAR

... PETITIONERS

(BY SRI SAMMITH.S., ADVOCATE)

AND

- 1 . THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDITIONAL CHIEF
SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU-560001
- 2 . THE UNDER SECRETARY
MINISTRY OF LABOUR,
VIKASA SOUDHA,
BENGALURU-560001
- 3 . THE COMMISSIONER,
BRUHAT BENGALURU MAHANAGARA PALIKE,
N R SQUARE, BENGALURU-560002
- 4 . THE JOINT DIRECTOR,
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N R SQUARE,
BENGALURU-560002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R1 & R2,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R3 & R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE GOVERNMENT ORDER ISSUED BY THE R.2
DATED 18.01.2007 AND THE CORRIGENDUM THEREIN
DATED 28.02.2007 MANDATING UPFRONT COLLECTION

OF LABOUR WELFARE CESS, AS CONTAINED IN ANNEXURE-D, CIRCULAR ISSUED BY THE R.2 COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF BUILDING LICENSE/SANCTION PLAN AS CONTAINED IN ANNEXURE-E AND THE DEMAND NOTICE ISSUED BY THE R.3 ADDITIONAL DIRECTOR DEMAND NOTICE DATED 25.10.2019 AS CONTAINED IN ANNEXURE-F AND ETC.,

IN WRIT PETITION No.51603/2019

BETWEEN

- 1 . M/S. RAPSRI ENGINEERING INDUSTRIES LIMITED
A COMPANY INCORPORATED UNDER THE COMPANIES ACT 1956,
REGISTERED AND CORPORATE OFFICE AT
NO.39/40, GOWDANAPALYA,
SUBRAMANYAPURA POST,
BENGALURU-560061
REPRESENTED BY ITS POWER ATTORNEY HOLDER,
M/S SOBHA DEVELOPERS LIMITED.
THROUGH MR RAGHAVENDRA N R

- 2 . M/S SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER THE COMPANIES ACT, 1956,
REGISTERED AND CORPORATE OFFICE AT,
'SOBHA', SARJAPUR-MARTHAHALLI OUTER RING ROAD, (ORR)
DEVARABEESANAHALLI, BELLANDUR POST,
BENGALURU-560103
REPRESENTED BY ITS AUTHORIZED SIGNATORY,
MR RAGHAVENDRA N R

... PETITIONERS

(BY SRI MADHUKAR DESHPANDE, ADVOCATE)

AND

- 1 . STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU-560001
- 2 . BRUHAT BENGALURU MAHANAGARA PALIKE
REPRESENTED BY ITS COMMISSIONER,
N R SQUARE, BENGALURU-560002
- 3 . JOINT DIRECTOR,
TOWN PLANNING (SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N R SQUARE,
BENGALURU-560002

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R2 & R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYE LAWS NO.3.9 OF THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE LAWS 2003
(ANNEXURE-A) AS UNCONSTITUTIONAL, ILLEGAL AND
ULTRA VIRES & ETC.,

IN WRIT PETITION No.51825/2019

BETWEEN

SRI. P.H. VENKATARAMANAPPA
SON OF HULIYAPPA
AGED ABOUT 79 YEARS
RESIDING AT 2ND CROSS, GUNJURPALYA VILLAGE

VARTHUR HOBLI,
BENGALURU EAST TALUK
BENGALURU

REPRESENTED BY HIS GPA HOLDER
M/S SVR BUILDERS AND DEVELOPERS
HAVING ITS REGISTERED OFFICE AT
DSR DIYA ARCADE, NO.220,
4TH FLOOR, 9TH MAIN,
HRBR LAYOUT, 1ST BLOCK EXTN
KALYANNAGAR
BENGALURU - 560043

REPRESENTED BY ITS
AUTHORIZED SIGNATORY
AND MANAGING PARTNER
SRI N RAVEENDRA KUMAR REDDY

... PETITIONER

(BY SRI SAMMITH.S., ADVOCATE)

AND

- 1 . THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDITIONAL CHIEF
SECRETARY
URBAN DEVELOPMENT DEPARTMENT
VIDHANA SOUDHA
BENGALURU - 560001
- 2 . THE UNDER SECRETARY
MINISTRY OF LABOUR
VIKASA SOUDHA
BENGALURU - 560001
- 3 . THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE
BENGALURU - 560002

4 . THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE
BENGALURU - 560002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R1 & R2,
SRI SREENIDHI V & SMT SINCHANA M.R.,
ADVOCATES FOR R3 & R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE GOVERNMENT ORDER ISSUED BY THE R-2 DATED 18.01.2007 AND THE CORRIGENDUM THEREIN DATED 28.02.2007 MANDATING UPFRONT COLLECTION OF LABOUR WELFARE CESS, AS CONTAINED IN ANNEX-C, CIRCULAR ISSUED BY THE R-2 COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF BUILDING LICENSE/SANCTION PLAN AS CONTAINED IN ANNEX-D, AND THE DEMAND NOTICE ISSUED BY THE R-3 ADDL. DIRECTOR DATED 12.07.2019, AS CONTAINED IN ANNEX-E.

IN WRIT PETITION No.52084/2019

BETWEEN

1. SRI SHIVALINGAIAH
S/O SRI LINGE GOWDA,
AGED ABOUT 84 YEARS.
2. SMT. SAVITHRAMMA
W/O SRI SHIVALINGAIAH,
AGED ABOUT 73 YEARS.

PETITIONERS NO.1 AND 2
ARE RESIDING AT
NO.553, 7TH MAIN,
4TH CROSS, RPC LAYOUT,

VIJAYANAGAR,
BENGALURU - 560 040.

3. SRI PRADEEP KRISHNAPPA
S/O SRI M KRISHNAPPA,
AGED ABOUT 32 YEARS.
RESIDING AT NO.2937/38E,
SERVICE ROAD,
VIJAYANAGAR, 2ND STAGE,
BENGALURU - 560 040.
4. SRI ARUN KUMAR
S/O SRI NAGARAJ
AGED ABOUT 43 YEARS.
RESIDING AT NO.11, 11TH MAIN ROAD,
ATTIGUPPE, VIJAYANAGAR,
BENGALURU - 560 040.
5. SRI K H MANJAPPA
S/O SRI HANUMANTHAIAH
AGED ABOUT 60 YEARS,
RESIDING AT NO.465, 4TH B MAIN ROAD,
4TH STAGE, 4TH BLOCK,
WEST OF CHORD ROAD, MAGADI ROAD,
BENGALURU - 560 079.
6. SMT. PANKAJA M.S.,
W/O LATE SRI CHANDRASHEKARAIH
AGED ABOUT 51 YEARS,
RESIDING AT KODIYAALA VILLAGE,
BIDADI HOBLI,
RAMANAGARA TALUK AND DISTRICT.
7. SRI RAJU
S/O SRI DEVARAJU,
AGED ABOUT 49 YEARS,
RESIDING AT NO.1205/46,
1ST MAIN, MC LAYOUT, VIJAYANAGAR,
BENGALURU - 560 040.

PETITIONER NO. 1-7 ARE REPRESENTED BY
 THEIR POWER OF ATTORNEY HOLDER
 M/S APG HABITAT PVT. LTD.,
 A PRIVATE LIMITED COMPANY HAVING ITS
 REGISTERED OFFICE AT
 NO. 2/1, EMBASSY ICON ANNEXE,
 INFANTRY ROAD, BENGALURU - 560 001
 REPRESENTED BY ITS
 AUTHORISED SIGNATORY
 SRI SOMASUDARAM THIRUPPATHI

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
 REPRESENTED BY ITS
 ADDITIONAL CHIEF SECRETARY
 URBAN DEVELOPMENT DEPARTMENT
 VIDHANA SOUDHA
 BENGALURU - 560 001.
2. THE UNDER SECRETARY
 MINISTRY OF LABOUR,
 VIKASA SOUDHA
 BENGALURU - 560 001.
3. THE COMMISSIONER
 BRUHAT BENGALURU MAHANAGARA PALIKE
 N.R.SQUARE, BENGALURU - 560 002.
4. THE JOINT DIRECTOR
 TOWN AND COUNTRY PLANNING (NORTH)
 BRUHAT BENGALURU MAHANAGARA PALIKE
 N.R.SQUARE,
 BENGALURU - 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 & R2)

(PHYSICAL HEARING);
SRI V.SREENIDHI AND SMT.SINCHANA M.R.,
ADVOCATE R3 AND R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE GOVERNMENT ORDER ISSUED BY THE R-2 DATED 18.01.2007 AND THE CORRIGENDUM THEREIN DATED 28.02.2007 MANDATING UPFRONT COLLECTION OF LABOUR WELFARE CESS, AS CONTAINED IN ANENXURE-C, CIRCULAR ISSUED BY THE R-3 COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF BUILDING LICENSE/SANCTION PLAN AS CONTAINED IN ANNEXURE-D AND THE DEMAND NOTICE ISSUED BY THE R-4 JOINT DIRECTOR DEMAND NOTICE DATED 29.11.2019 AS CONTAINED IN ANNEXURE-E AND ETC.,

IN WRIT PETITION No.52669/2019

BETWEEN

1. SRI N.PRAKASH
S/O LATE M.NANJAPPA,
AGED ABOUT 45 YEARS.
2. SRI P.K.RAJAGOPAL
S/O LATE SRI P.N.KRISHNAPPA,
AGED ABOUT 48 YEARS.

PETITIONER NOS.1 & 2 ARE RESIDING AT
PARVATHAMMA BUILDING,
THINDLU VILLAGE,
VIDYARANYAPURA POST,
BENGALURU – 560 097.

PETITIONER NOS.1 & 2 ARE
REPRESENTED BY THEIR GPA HOLDER
M/S SUMADHURA INFRACON PVT. LTD.,
A PRIVATE LIMITED COMPANY HAVING

ITS REGISTERED OFFICE AT NO.43,
CKB PLAZA, 2ND FLOOR,
VARTHUR MAIN ROAD,
MARATHAHALLI,
BENGALURU – 560 037
REP. BY ITS AUTHORIZED SIGNATORY
SRI BHARAT KUMAR KANDUKURI.

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU – 560 001.
2. THE UNDER SECRETARY
MINISTRY OF LABOUR
VIKASA SOUDHA,
BENGALURU – 560 001.
3. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.
4. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2, R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE GOVERNMENT ORDER ISSUED BY THE R-2 DATED 18.01.2007 AND THE CORRIGENDUM THEREIN DATED 28.02.2007 MANDATING UPFRONT COLLECTION OF LABOUR WELFARE CESS, AS CONTAINED IN ANNEX-C, CIRCULAR ISSUED BY THE R-3 COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF BUILDING LICENSE/SANCTION PLAN AS, AS CONTAINED IN ANNEX-D, AND THE DEMAND NOTICE ISSUED BY THE R-4 ADDITIONAL DIRECTOR DATED 11.12.2019, AS CONTAINED IN ANNEX-E AND ETC.,

IN WRIT PETITION No.52682/2019

BETWEEN

M/S SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE AT,
SOBHA, SARJAPUR MARTHAHALLI
OUTER RING ROAD (ORR)
DEVARABEESANAHALLI, BELLANDUR POST,
BENGALURU - 560 103
REP BY ITS AUTHORISED SIGNATORY
MR.RAGHAVENDRA N.R.

... PETITIONER

(BY SRI MADHUKAR DESHPANDE, ADVOCATE)

AND

1. STATE OF KARNATAKA
REP BY ITS PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001

2. BRUHAT BENGALURU MAHANAGARA PALIKE
REP BY ITS COMMISSIONER,
N.R.SQUARE, BENGALURU - 560 002.
3. JOINT DIRECTOR, TOWN PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU - 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYELAWS NO.3.9 OF THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAWS 2003 (ANNX-
A) AS UNCONSTITUTIONAL, ILLEGAL AND ULTRA VIRUS
ETC.

IN WRIT PETITION No.135/2020

BETWEEN

1. K S JUNJAPPA
AGED 78 YEARS
S/O LATE SIDDAPPA
2. SMT. GOWRAMMA
AGED 73 YEARS
W/O SRI K.S.JUNJAPPA
3. SRI.J.ANANDA
AGED 44 YEARS
S/O SRI K.S.JUNJAPPA

ALL ARE RESIDING AT NO.328
RESIDING AT NO.328, JUNJAPPA COMPLEX,
KALKERE VILLAGE, K.R.PURAM HOBLI, BENGALURU
EAST TALUK, BENGALURU-560043.

REPRESENTED BY THEIR GPA HOLDER
M/S. S.K.DEWLLINGS LLP
FORMERLY KNOWN AS M/S. S.K.PROJECTS
HAVING ITS OFFICE AT UNIT NO.A1, SAI HOME
STYLE, DODDATHOGURU, ELECTRONIC CITY,
BENGALURU-560100
REPRESENTED BY ITS PARTNER
SRI PAPAIAH N @ PAPI REDDY

... PETITIONERS

(BY SRI VIVEKANANDA T P, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SODUHA, DR.AMBEDKAR
VEEDHI, BENGALURU-560001.
- 2 . STATE OF KARNATAKA
DEPARTMENT OF LABOUR
VIKASA SOUDHA,
BENGALURU
REPRESENTED BY ITS SECRETARY
- 3 . THE BRUHATH BANGALORE MAHABAGARA PALIKE
N.R.SQUARE, BENGALURU-560002.
REPRESENTED BY ITS COMMISSIONER
- 4 . THE JOINT DIRECTOR
TOWN PLANNING (NORTH)
BUILDING LICENSE CELL,
BRUHATH BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE,
BENGALURU-560002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1 AND R2,
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE DATED NIL SIGNED ON 12.12.2019 AT ANNEX-D ISSUED BY THE R-4 IN SO FAR AS THE DEMAND OF RS.1,61,698/- TOWARDS SCRUTINY FEE, RS.32,33,969/- TOWARDS LICENSE FEE, RS.23,31,740/- TOWARDS GROUND RENT AND GST, RS.24,46,655/- TOWARDS SECURITY DEPOSIT AND ALSO INSOFAR AS THE CONSTRUCTION WORKERS WELFARE CESS OF RS.37,71,000/- IS CONCERNED AND ETC.,

IN WRIT PETITION No.388/2020

BETWEEN

M/S SOBHA LIMITED
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956
AND HAVING ITS REGISTERED OFFICE AT
SOBHA SARJAPUR MARTHAHALLI OUTER
RING ROAD (ORR)
DEVARABEESANAHALLI, BELLANDOUR POST,
BENGALURU - 560 103
REP BY ITS AUTHORISED SIGNATORY
SRI RAJESH MARATHE

... PETITIONER

(BY SRI MADHUKAR DESHPANDE, ADVOCATE)

AND

1. STATE OF KARNATAKA
REP BY ITS PRINCIPAL SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,

4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEEDHI, BENGALURU - 560 001.

2. BRUHAT BENGALURU MAHANAGARA PALIKE
REP BY ITS COMMISSIONER,
N.R.SQUARE, BENGALURU - 560 002.
3. JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU - 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYELAWS NO.3.9 OF THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAWS 2003 (ANNX-
A) AS UNCONSTITUTIONAL, ILLEGAL AND ULTRA VIRES
ETC.

IN WRIT PETITION No.3771/2020

BETWEEN

M/S. CHIMES EDUCATIONAL TRUST
A PUBLIC CHARITABLE TRUST,
HAVING ITS OFFICE AT NO.5,
PATALAMMA TEMPLE STREET,
BASAVANAGUDI,
BENGALURU - 560004.
REP. BY ITS TRUSTEE
SMT. BRINDA SRINIVAS

... PETITIONER

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REP. BY ITS ADDITIONAL CHIEF SSECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU-560001.
2. THE UNDERSECRETARY
MINISTRY OF LABOUR,
VIKASA SOUDHA,
BENGALURU-560001.
3. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU-560002.
4. THE ASSISTANT DIRECTOR
TOWN AND COUNTRY PLANNING (SOUTH),
BRUHAT BENGALURU MAHANAGARA PALIKE,
9TH CROSS, 9TH MAIN ROAD, JAYANAGAR 2ND
BLOCK,
BENGALURU-560011.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 AND R2;
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES
FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE GOVERNMENT ORDER ISSUED BY THE R-2 DATED 18.01.2007 AND THE CORRIGENDUM THEREIN DATED 28.02.2007 MANDATING UPFRONT COLLECTION OF LABOUR WELFARE CESS, AS CONTAINED IN ANNEX-C, CIRCULAR ISSUED BY THE R-2 COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF BUILDING LICENSE/SANCTION PLAN AS, AS CONTAINED IN ANNEX-D,

AND THE DEMAND NOTICE ISSUED BY THE R-3 ADDL. DIRECTOR DATED 07.02.2020, AS CONTAINED IN ANNX-E AND ETC.,

IN WRIT PETITION No.4595/2020

BETWEEN

1. SRI B.H.NARAYANASWAMY
AGED ABOUT 76 YEARS
SON OF LATE HANUMEGOWDA
2. SMT. RUKMINIYAMMA
AGED ABOUT 66 YEARS
W/O B.H.NARAYANASWAMY
3. DR.B.N.PAVITHRA
AGED ABOUT 46 YEARS
W/O MAHESH RAJ GOPAL
D/O B.H.NARAYANASWAMY.
4. SRI.B.N.PRAVEEN
AGED ABOUT 43 YEARS,
S/O B.H.NARAYANASWAMY
5. SRI.B.N.RAKESH
AGED ABOUT 40 YEARS
S/O B.H.NARAYANASWAMY

RESIDING AT NO.566, 7TH A MAIN,
'A' SECTOR, YELAHANKA NEW TOWN,
BENGALURU – 560 064.

ALL ARE REPRESENTED BY THEIR GPA HOLDER
M/S. VIKRAM STRUCTURES PVT. LTD.,
REGISTERED UNDER THE COMPANIES ACT,
HAVING ITS OFFICE AT NO.22, 5TH 'A' MAIN,
NEAR BAPTIST HOSPITAL,
BEHIND ROYAL SENATE HOTEL,

HEBBAL, BENGALURU – 560 024.
REPRESENTED BY ITS MANAGING DIRECTOR
MR. VIKRAM PRABHAKAR.

... PETITIONERS

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR.AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. THE BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU – 560 002.
REPRESENTED BY ITS COMMISSIONER.
3. THE JOINT DIRECTOR
TOWN PLANNING (SOUTH),
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE DEMAND NOTICE DATED 18.02.2020 AT ANNEX-F
ISSUED BY THE R-3 ONLY IN SO FAR AS THE DEMAND OF
RS.1,73,70,769/- TOWARDS THE GROUND RENT AND GST
OF RS.31,26,738/- AND RS.5,52,706/- TOWARDS
SCRUTINY FEE AND ETC.,

IN WRIT PETITION No.5087/2020

BETWEEN

- 1 . SRI B H NARAYANAPPA
AGED 76 YEARS
S/O LATE HANUMANTHARAYAPPA
- 2 . SMT C RUKMINI
AGED 50 YEARS
W/O B H NARAYANAPPA
- 3 . SRI B N PAVAN KUMAR
AGED 22 YEARS
S/O B H NARAYANAPPA

ALL ARE RESIDENTS OF
BHATTARAHALLI VILAGE
BIDARAHALLI HOBLI,
BENGALURU EAST TALUK
BENGALURU

REPRESENTED BY THEIR GPA HOLDER
M/S HEBRON PROPERTIES PVT LTD
A REGISTERED COMPANY
(FORMED OUT OF THE BUSINESS TAKEN OVER
FROM PARTNERSHIP FIRM
M/S VINEYARD PROPERTIES)
HAVING ITS REGISTERED OFFICE AT NO 5AC -712
5TH A CROSS, HRBR LAYOUT
1ST BLOCK, KALYAN NAGAR POST
BENGALURU - 560043
REP BY ITS MANAGING DIRECTOR
SRI SATHISH KOSHY

... PETITIONERS

(BY SRI VIVEKANANDA T P, ADVOCATE)

AND

- 1 . STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA
DR AMBEDKAR VEEDHI
BENGALURU - 560001
- 2 . BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE, BENGALURU - 560002
REPRESENTED BY ITS COMMISSIONER
- 3 . THE JOINT DIRECTOR
TOWN PLANNING (SOUTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE
BENGALURU - 560002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R- 1,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R2 & R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE DEMAND NOTICE DTD.18.2.2020 AT ANNEXURE-H
ISSUED BY THE R- 3 ONLY INsofar AS THE DEMAND OF
RS.20,69,594/- TOWARDS AND GROUND RENT AND GST
OF RS.3,72,527/- AND RS.90,930/- TOWARDS SCRUTINY
FEE.

IN WRIT PETITION No.5758/2020

BETWEEN

M/S AKARSHA REALTY PVT LTD

A REGISTERED COMPANY HAVING ITS OFFICE AT
NO.10, VITTAL MALLYA ROAD,
BENGALURU - 560 001
REPRESENTED BY ITS DIRECTOR
SRI B M JAYESHANKAR

... PETITIONER

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY
URBAN DEVELOPMENT DEPARTMENT
VIDHANA SOUDHA
BENGALURU-560 001
2. THE UNDER SECRETARY
MINISTRY OF LABOUR
VIKASA SOUDHA
BENGALURU-560 001
3. THE COMMISSIONER
BRUHAT BENGALURU MAHNAGARA PALIKE
N R SQUARE, BENGALURU-560 002
4. THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE, BENGALURU-560 002

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 AND R2
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE GOVERNMENT ORDER ISSUED BY THE R02
DATED 18.01.2007 AND THE CORRIGENDUM THEREIN

DATED 28.02.2007 MANDATING UPFRONT COLLECTION OF LABOUR WELFARE CESS, AS CONTAINED IN ANNEX-M, CIRCULAR ISSUED BY THE R-2 COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR ISSUE OF BUILDING LICENSE/SANCTION PLAN AS, AS CONTAINED IN ANNEX-N, AND THE DEMAND NOTICE ISSUED BY THE R-3 ADDITIONAL DIRECTOR BEARING DEMAND NOTICE DATED 29.02.2020, AS CONTAINED IN ANNEX-P ETC.

IN WRIT PETITION No.6413/2020

BETWEEN

M/S BRIGADE PROPERTIES PVT LTD
A PRIVATE LIMITED COMPANY
HAVING ITS REGISTERED OFFICE AT 29TH FLOOR,
WORLD TRADE CENTRE,
26/1, BRIGADE GATEWAY,
DR RAJKUMAR ROAD,
MALLESHWARAM, RAJAJINAGAR,
BENGALURU 560055.

REPRESENTED BY ITS AUTHORIZED SIGNATORY
SRI UDAYA KUMAR

... PETITIONER

(BY SRI SAMMITH.S., ADVOCATE)

AND

- 1 . THE STATE OF KARNATAKA
REPRESENTED BY ITS ADDITIONAL CHIEF
SECRETARY, URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA, BENGALURU 560001
- 2 . THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N R SQUARE,
BENGALURU 560002

3 . THE JOINT DIRECTOR
TOWN AND COUNTRY PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N R SQUARE,
BENGALURU 560002

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R2 & R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CIRCULAR ISSUED BY THE R-2
COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR
ISSUE OF OCCUPANCY CERTIFICATE, AS CONTAINED IN
ANNEXURE-C AND THE DEMAND NOTICE ISSUED BY THE
R-3 JOINT DIRECTOR DATED 16.03.2020 AS CONTAINED
IN ANNEXURE-D & ETC.,

IN WRIT PETITION No.6633/2020

BETWEEN

1. SMT.NIRMALA
AGED 65 YEARS,
W/O LATE G RAMAKRISHNA REDDY.
2. SRI HEMANTH KUKMAR H.R.,
AGED 47 YEARS,
S/O LATE G.RAMAKRISHNA REDDY.
3. SRI LAKSHMISHA H.R.,
AGED 45 YEARS,
S/O LATE G.RAMAKRISHNA REDDY.
4. SRI PRABHAKAR H.R.,
AGED 43 YEARS,
S/O LATE G RAMAKRISHNA REDDY.

PETITIONERS NO.1 TO 4 ARE
RESIDING AT HARALUR VILLAGE,
AGARA POST, BENGALURU EAST TALUK,
BENGALURU.

5. SMT.KASTURI
AGED 41 YEARS,
W/O SRI VINUKAR,
D/O LATE G.RAMAKRISHNA REDDY,
NO.109, 2ND 'A' CROSS ROAD,
NEAR LAKSHMI NARAYANA TEMPLE,
MUNNEKOLALA,
BENGALURU – 560 037.

REPRESENTED BY THEIR GPA HOLDER,
M/S BREN CORPORATION PVT. LTD.,
A COMPANY REGISTERED UNDER
THE COMPANIES ACT HAVING
ITS REGISTERED OFFICE AT
THIRD FLOOR, 'BALAVANA',
PLOT NO. 61, 5TH "A" BLOCK,
KORAMANGALA BENGALURU-560095
BY ITS DIRECTOR,
SRI J.BOOPESH REDDY.

6. M/S BREN CORPORATION
(FORMERLY KNOWN AS SJR ENTERPRISES)
A PROPRIETARY CONCERN THIRD FLOOR,
'BALAVANA', PLOT NO.61,
5TH "A" BLOCK,
KORAMANGALA, BENGALURU – 560 095
BY ITS SOLE PROPRIETOR,
SRI J.BOOPESH REDDY.

... PETITIONERS

(BY SRI VIVEKANANDA T.P., ADVOCATE (PHYSICAL
HEARING))

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKASA SOUDHA,
DR AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA,
BENGALURU - 01
REPRESENTED BY
ITS SECRETARY.
3. THE BRUHAT BANGALORE MAHANAGARA PALIKE
N R SQUARE,
BENGALURU – 560 002
REPRESENTED BY
ITS COMMISSIONER.
4. THE JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N R SQUARE,
BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 AND
R2(PHYSICAL HEARING);
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE DEMAND NOTICE DTD. 17.03.2020 AT ANN-X-D
ISSUED BY THE R-4 IN SO FAR AS THE DEMAND OF RS.
2,61,999/- TOWARDS SCRUTINY FEE, RS.52,39,970/-

TOWARDS LICENSE FEE, RS.30,91,582/- TOWARDS
GROUND RENT AND GST, RS.58,22,189/- TOWARDS
SECURITY DEPOSIT AND ALSO INSOFAR AS THE
CONSTRUCTION WORKERS WELFARE CESS OF RS.
92,17,000/- IS CONCERNED AND ETC.,

IN WRIT PETITION No.7454/2020

BETWEEN

M/S. SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER THE COMPANIES
ACT, 1956
REGISTERED AND CORPORATE OFFICE AT 'SOBHA'
SARJAPUR-MAR'HAHALLI
OUTER RING ROAD (ORP)
DEVARABEESANAHALLI,
BELLANDUR POST,
BENGALURU 560103
REPRESENTED BY ITS
AUTHORISED SIGNATORY
MR. PRASAD M.S

... PETITIONER

(BY SRI MADHUKAR DESHPANDE, ADVOCATE)

AND

- 1 . STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU-560001
- 2 . BRUHAT BANGALORE MAHANAGARA PALIKE
REPRESENTED BY ITS COMMISSIONER
N.R.SQUARE,
BENGALURU-560002

3 . JOINT DIRECTOR
TOWN PLANNING (SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE
N.R. SQUARE,
BENGALURU-560002.

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R1,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R2 & R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYELAWS NO.3.9 OF THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAWS 2003 VIDE
ANNX-A AS UNCONSTITUTIONAL, ILLEGAL AND ULTRA
VIRES.

IN WRIT PETITION No.7895/2020

BETWEEN

- 1 . MR RAJA JAYASHANKAR
S/O LATE RAJA SREEKANTIAH SETTY
AGED 81 YEARS
R/AT NO. 3, 36TH CROSS ROD,
8TH BLOCK, JAYANAGAR
BANGALOE 560 070
- 2 . MR. RAJA UDAYSHANKAR
S/O RAJA JAYASHANKAR
55 YEARS, R/AT NO.3,
36TH CROSS ROAD,
8TH BLOCK, JAYANAGAR
BENGALURU 560 070
- 3 . MR. RAJA SUCHINDRA

SON OF MR. RAJA JAYASHANKAR
AGED ABOUT 53 YEARS
R/AT F-2, RAJAMAHALAKSHMI
NO.12, BASAPPA ROAD,
SHANTHINAGAR
BENGALURU 560 027

- 4 . MR. RAJA DATTA KUMAR
SON OF MR. RAJA JAYASHANKAR
AGED ABOUT 51 YEARS
G-1, 'MEENAKSHI MANOR'
NO. 14/2, 10TH 'D' MAIN ROAD,
5TH CROSS ROAD, FIRST BLOCK,
JAYANAGAR
BENGALURU 560 011
- 5 . MR. C. CHOWRIRAJ
SON OF LATE CHOWRAPPA @ PRAKASHAPPA
74 YEARS
R/AT CHIKKA KAMANAHALLI VILLAGE
GOTTIGERE POST
BANNERGHATTA ROAD,
BENGALURU SOUTH TALUK 560 083

ALL ARE REPRESENTED BY THEIR GENERAL
POWER OF ATTORNEY
PURAVANKARA LIMITED
(FORMERLY PURAVANKARA PROJECTS LTD)
A COMPANY INCORPRATED UNDER THE
PROVISIONS OF THE COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE
AT 130/1, ULSOOR ROAD,
BENGALURU 566043
REPRESENTED BY ITS
AUTHORISED SIGNATORY
MR. B. PRAVEEN KUMAR

... PETITIONERS

(BY SRI JOSEPH ANTHONY, ADVOCATE)

AND

- 1 . STATE OF KARNATAKA
URBAN DEVELOPMENT DEPARTMENT
VIKASA SOUDHA
BENGALURU 560001
REPRESENTED BY THE CHIEF SECRETARY
- 2 . BRUHAT BENGALURU MAHANAGARA PALIKE
HUDSON CIRCLE
BENGALURU 560 027
REPRESENTED BY THE COMMISSIONER
- 3 . JOINT DIRECTOR (TOWN PLANNING-SOUTH)
BRUHATH BENGALURU MAHANAGARA PALIKE
N.R. CIRCLE
BENGALURU 560 002

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R1,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R2 & R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE IMPUGNED DEMAND NOTICE ISSUED ON MAY 20,
2020 BY THE R-3 (ANNEXURE-A) AS REGARD THE
DEMAND MADE AT SL.NO.2 (GROUND RENT).

IN WRIT PETITION No.7949/2020

BETWEEN

M/S R.K. SURAKSHA PROPERTIES
A PARTNERSHIP FIRM
HAVING ITS OFFICE AT NO.80/3
80 FEET ROAD,

AREKERE
OPP SAI BABA TAMPLE
B G ROAD
BENGALURU-76
REPRESENTED BY ITS MANAGING PARTNER
SRI V RAMESH KUMAR
S/O LATE CHANDRASHEKAR NAIDU
AGED ABOUT 51 YEARS

... PETITIONER

(BY SRI B. PRAMOD, ADVOCATE)

AND

1. STATE OF KARNATAKA
THE URBAN DEVELOPMENT DEPARTMENT
VIKASA SOUDHA
DR B R AMBEDKAR VEEDHI
BENGALURU-560001
REPRESENTED BY ITS SECRETARY
2. STATE OF KARNATAKA
THE LABOUR DEPARTMENT
VIKASA SOUDHA
DR B R AMBEDKAR VEEDHI
BENGALURU-560001
REPRESENTED BY ITS UNDER SECRETARY
3. BRUHAT BENGALURU MAHANAGAR PALIKE
N R SQUARE
BENGALURU-560002
REPRESENTED BY ITS COMMISSIONER
4. THE ASSISTANT DIRECTOR TOWN PLANNING
BOMMANAHALLI DIVISION
BRUHAT BENGALURU MAHANAGARA PALIKE
BEGUR MAIN ROAD,
BOMMANAHALLI
BENGALURU-560068

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R1 AND R2,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CIRCULAR DATED 04.09.2015 ISSUED BY
THE R-3 ANNEXURE-E IN SO FAR THE PETITIONER IS
CONCERNED & ETC.,

IN WRIT PETITION No.7973/2020

BETWEEN

M/S BHARTIYA URBAN PRIVATE LIMITED
(ERSTWHILE, BHARTIYA CITY DEVELOPERS PVT.LTD.)
A COMPANY INCORPORATED UNDER THE
COMPANIES ACT,1956
HAVING ITS REGISTERED OFFICE AT
56/7, NALLAMBAKKAM VILLAGE (VIA VANDALUR)
CHENNAI
TAMIL NADU-600048

AND CORPORATE OFFICE AT
5/1, PALACE ROAD
BENGALURU-560 001

REPRESENTED BY ITS AUTHORISED SIGNATORY
MR SHAMA SUNDER R J

... PETITIONER

(BY SRI SANJAY NAIR, ADVOCATE)

AND

- 1 . STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA

AMBEDKAR VEEDHI
BENGALURU-560 001

2 . BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE
BENGALURU-560 002
REPRESENTED BY ITS COMMISSIONER

3 . JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N R SQUARE
BENGALURU-560 002

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R2 & R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DECLARE THE BYE LAW NO.3.9 OF THE BANGALORE
MAHANAGARA PALIKE BUILDING BYE-LAWS 2003
ANNEXURE-A AS UNCONSTITUTIONAL, ILLEGAL AND
ULTRA VIRES & ETC.,

IN WRIT PETITION No.8026/2020

BETWEEN

1 . SRI. B.K. VASUDEV PRADEEP
S/O LATE V. KRISHNAPPA
43 YEARS

2 . SRI. B.K. RAGHAVENDRA PRAMOD
S/O LATE V. KRISHNAPPA
41 YEARS

BOTH ARE R/AT NO. 8,
GANESHA NILAYA, 8TH AND 9TH CROSS,
INDIRA GANDHI CIRCLE
BEHIND SBM, SARAKKI
BENGALURU SOUTH, JP NAGAR
BENGALURU 560 078

REPRESENTED BY THEIR GPA HOLDER
M/S S.K. SURAKSHA PROPERTIES
REPRESENTED BY ITS MANAGING PARTNER
SRI. V. RAMESH KUMAR
S/O LATE CHANDRASHEKAR NAIDU
AGED ABOUT 51 YEARS

- 3 . M/S S.K. SURAKSHA PROPERTIES
HAVING ITS OFFICE AT NO. 36/52,
11TH A MAIN, 27TH CROSS,
JAYANAGAR 4TH BLOCK EAST
BENGALURU 560 011
REPRESENTED BY ITS MANAGING PARTNER
SRI. V. RAMESH KUMAR
S/O LATE CHANDRASHEKAR NAIDU
AGED ABOUT 51 YEARS

... PETITIONERS

(BY SRI B. PRAMOD, ADVOCATE)

AND

- 1 . THE STATE OF KARNATAKA
THE URBAN DEVELOPMENT DEPARTMENT
VIKASA ASOUDHA, DR. B.R. AMBEDKAR VEEDHI,
BANGALORE 560 001
REPRESENTED BY ITS SECRETARY
- 2 . THE STATE OF KARNATAKA
THE LABOUR DEPARTMENT
VIKASA SOUDHA,
DR. B.R AMBEDKAR VEEDHI,

BENGALURU 560 001
REPRESENTED BY ITS UNDER SECRETARY

- 3 . BRUHATH BANGALORE MAHANAGAR PALIKE
N.R. SQUARE
BENGALURU 560002
REPRESENTED BY ITS COMMISSIONER
- 4 . THE ASSISTANT DIRECTOR
TOWN PLANNING (RAJARAJESHWARINAGARA)
BRUHATH BANGALORE MAHANAGARA PALIKE
18TH CROSS, IDEAL HOMES LAYOUT
R.R. NAGAR, NEAR BESCOFFICE
BENGALURU 560 098

... RESPONDENTS

(BY SRI R SRINIVAS GOWDA, AGA FOR R1 AND R2,
SRI SREENIDHI V & SMT SINCHANA M.R., ADVOCATES
FOR R3 & R4 (PHYSICAL HEARING))

IN WRIT PETITION No.8133/2020

BETWEEN

1. SMT. MANI R.N.,
AGED 54 YEARS,
D/C LATE K.RAJASHEKAR,
W/O SRI T.C.RAJEEV,
R/AT NO 313/A, 9TH MAIN,
5TH BLOCK, JAYANAGAR,
BENGALURU – 560 041.
2. SRI SHIVA SHANKAR R.,
AGED ABOUT 46 YEARS,
S/O LATE K.RAJASHEKAR,
R/AT NO 3810, 14TH CROSS,
HAL 2ND STAGE, INDIRANAGAR,
BENGALURU – 560 038.

3. SMT. SHASHIKALA SHILPA R.,
AGED 44 YEARS,
D/O LATE K.RAJASHEKAR,
W/O SATISH NAGARAJAN MARUPALLY,
R/AT NO.17, RUDRA NILAYA,
SANTHOSHIMATHA TEMPLE STREET,
ARAKERE, BANNERGHATTA ROAD,
BENGALURU – 560 076.

PETITIONERS ARE REPRESENTED BY
M/S. LEGACY GLOBAL PROJECTS PVT. LTD.,
A REGISTERED COMPANY,
HAVING ITS REGISTERED OFFICE AT NO.333,
2ND FLOOR, NOVA MILLER, THIMMAIAH ROAD,
BENGALURU – 560 052
BY ITS JOINT MANAGING DIRECTOR,
SRI SANJAY SHENOY.

... PETITIONERS

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR.AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. THE BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU – 560 002
REPRESENTED BY ITS COMMISSIONER.
3. THE JOINT DIRECTOR
TOWN PLANNING (NORTH),
BUILDING LICENSE CELL (NORTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE SIGNED ON 13.05.2020 AT ANNEXURE-H ISSUED BY THE R-3 IN SO FAR AS THE DEMAND OF RS.4,34,217/- TOWARDS SCRUTINY FEE, RS.73,96,702/- TOWARDS LICENSE FEE, RS.90,97,159/- TOWARDS GROUND RENT AND GST IS CONCERNED AND ETC.,

IN WRIT PETITION No.8538/2020

BETWEEN

M/S KLASSIK ENTERPRISES PVT. LTD.,
A COMPANY INCORPORATED UNDER THE
INDIAN COMPANIES ACT 1956,
REGISTERED OFFICE AT
SY.NO.10/1 AND 11/1,
KALENA AGRAHARA, NEAR MEENAKSHI TEMPLE,
BANNERGHATTA ROAD,
BENGALURU – 560 076
REP. BY ITS DIRECTOR
SRI M.PAMAKRISHNA REDDY.

... PETITIONER

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEEDHI,
BENGALURU – 560 001.

2. STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA,
BENGALURU - 01.
REPRESENTED BY ITS SECRETARY.
3. THE BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU – 560 002
REPRESENTED BY ITS COMMISSIONER.
4. THE JOINT DIRECTOR
TOWN PLANNING (BUILDING LICENSE CELL-NORTH),
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 AND R2;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE SIGNED ON 21.05.2020 AT ANNEXURE-D ISSUED BY THE R-4 IN SO FAR AS THE DEMAND OF RS.1,80,076/- TOWARDS SCRUTINY FEE, RS.36,01,523/- TOWARDS LICENSE FEE, RS.21,24,898/- TOWARDS GROUND RENT AND GST, RS.40,01,692/- TOWARDS SECURITY DEPOSIT AND ALSO INSOFAR AS THE CONSTRUCTION WORKERS WELFARE CESS OF RS.58,82,000/- IS CONCERNED AND ETC.,

IN WRIT PETITION No.8540/2020

BETWEEN

DR.M.RAVINDRA VARMA
AGED 72 YEARS,
S/O LATE M.MUNIVENKATAPPA,

RESIDING AT NO.600,
HORAMAVU MAIN ROAD,
HORAMAVU, BENGALURU – 560 043.

REPRESENTED BY GPA HOLDER
M/S SAI CHARITA BUILDERS
A REGISTERED PARTNERSHIP FIRM
HAVING ITS OFFICE AT NO.502,
5TH FLOOR SAI CHARITA GREEN OAKS- PHASE- I
HORAMAVU MAIN ROAD, HORAMAVU,
BENGALURU – 560 043.
REPRESENTED BY ITS
PARNTER MR. I.LSKHMI REDDY.

... PETITIONER

(BY SRI VIVEKANANDA T.P., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR.AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. THE BRUHAT BANGALORE MAHANGARA PALIKE
N.R.SQUARE, BENGALURU - 560 002.
REPRESENTED BY ITS COMMISSIONER.
3. THE JOINT DIRECTOR
BUILDING LICENSE CELL (NORTH),
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE DATED 06.06.2020 AT ANNEXURE-E ISSUED BY THE R-3 ONLY IN SO FAR AS THE DEMAND OF RS.12,08,562/- TOWARDS THE GROUND RENT AND GST OF RS.2,17,541/- AND RS.51,272/- TOWARDS SCRUTINY FEE AND ETC.,

IN WRIT PETITION No.8697/2020

BETWEEN

THE TOTAL ENVIRONMENT CONSTRUCTION PRIVATE LIMITED.,
A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956,
HAVING ITS REGISTERED OFFICE AT
"IMAGINE", NO.78,
ITPL ROAD, EPIP ZONE,
WHITEFIELD, BENGALURU - 560 066
REPRESENTED BY ITS
AUTHORIZED SIGNATORY
MR. SURESH CHANDRA BHANDARI.

... PETITIONER

(BY SRI SRIDHAR G., AND SRI R.SHASHIDHAR,
ADVOCATES)

AND

1. THE STATE OF KARNATAKA
BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001.
2. THE BRUHAT BANGALORE MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU -560002
REPRESENTED BY ITS COMMISSIONER.

3. THE JOINT DIRECTOR
BUILDING LICENCE CELL (NORTH)
THE BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU - 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE IMPUGNED ORDER DATED 04.07.2020 AT
ANNEXURE - B ISSUED BY THE R- 3 IN SO FAR AS THE
DEMAND FOR SUM OF RS.1,28,50,531-00 TOWARDS
GROUND RENT AND GST AND ETC.,

IN WRIT PETITION No.8831/2020

BETWEEN

1. SRI K.G.RAJAGOPAL REDDY
S/O LATE K.M.GOVINDA REDDY,
AGED ABOUT 72 YEARS.
2. SMT. SUNANDAMMA
W/O SRI K.G.RAJAGOPAL REDDY,
AGED ABOUT 70 YEARS.

BOTH ARE RESIDING AT NO.519,
20TH 'C' MAIN, 8TH BLOCK,
KORAMANGALA,
BENGALURU - 560 095.

... PETITIONERS

(BY SRI B.PRAMOD, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
THE URBAN DEVELOPMENT DEPARTMENT,
VIKAS SOUDHA, BENGALURU – 560 001
REPRESENTED BY ITS SECRETARY.
2. THE STATE OF KARNATAKA
THE LABOUR DEPARTMENT
VIKASA SOUDHA,
DR.B.R.AMBEDKAR VEEDHI,
BENGALURU – 560 001
REPRESENTED BY ITS
UNDER SECRETARY.
3. BRUHAT BANGALORE MAHANAGARA PALIKE
N.R. SQUARE, BENGALURU – 560 002
REPRESENTED BY ITS COMMISSIONER.
4. THE ASSISTANT DIRECTOR
TOWN PLANNING- (SOUTH)
BRUHAT BANGALORE MAHANAGARA PALIKE,
BBMP COMPLEX, 9TH CROSS, 9TH MAIN ROAD,
JAYANAGAR, 2ND BLOCK, BENGALURU – 560 011.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 AND R2;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR DTD. 04.09.2015 ISSUED BY THE R-3 (ANNX-E) IN SO FAR THE PETITIONERS ARE CONCERNED; QUASH THE GOVERNMENT ORDER DTD:18.01.2007 AND THE CORRIGENDUM ORDER DTD. 28.02.2007 ISSUED BY THE R-2 MANDATING UPFRONT COLLECTION OF LABOUR WELFARE CESS (ANNX-F) IN SO FAR THE PETITIONERS ARE CONCERNED AND ETC.,

IN WRIT PETITION No.8849/2020

BETWEEN

M/S SOBHA LIMITED
(FORMERLY SOBHA DEVELOPERS LIMITED)
A COMPANY INCORPORATED UNDER THE
COMPANIES ACT, 1956
REGISTERED AND CORPORATE OFFICE AT
'SOBHA', SARJAPUR MARTHAHALLI
OUTER RING ROAD,(ORR)
DEVAABEESANAHALLI, BELLANDUR POST
BENGALURU – 560103.
REPRESENTED BY ITS
AUTHORISED SIGNATORY
MR.PRASAD M.S.

... PETITIONER

(BY SRI MADHUKAR DESHPANDE, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY
URBAN DEVELOPMENT DEPARTMENT
4TH FLOOR, VIKAS SOUDHA
AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. BRUHAT BANGLAORE MAHANGARA PALIKE
REPRESENTED BY ITS COMMISSIONER
N.R. SQUARE
BENGALURU – 560 002.
3. JOINT DIRECTOR
TOWN PLANNING (NORTH)
BRUHAT BANGLAORE
MAHANAGARA PALIKE

N.R.SQUARE
BENGALURU - 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO (A)ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT OF LIKE NATURE OR DIRECTION, DECLARING THE BYELAWS NO.3.9 OF THE BANGALORE MAHANAGARA PALIKE BUILDING BYE- LAWS 2003 (ANNEXURE- A) AS UNCONSTITUTIONAL, ILLEGAL AND ULTRA VIRES AND ETC.,

IN WRIT PETITION No.8984/2020

BETWEEN

TRANQUIL REALTY PRIVATE LIMITED
BEING A COMPANY INCORPORATED
UNDER THE COMPANIES ACT, 1956,
HAVING ITS REGISTERED OFFICE AT
NO.30, VASWANI VICTORIA,
VICTORIA ROAD,
BENGALURU - 560 047
REPRESENTED BY ITS DIRECTOR
MR ARUN A ADVANI.

... PETITIONER

(BY MS.NAYANTARA, ADVOCATE FOR
SRI G.L.VISHWANATH, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY PRINCIPAL SECRETARY,

URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
AMBEDKAR VEEDHI,
BENGALURU – 560 001.

2. BRUHAT BANGALORE MAHANAGARA PALIKE
REPRESENTED BY ITS COMMISSIONER,
N R SQUARE,
BENGALURU – 560 002.
3. JOINT DIRECTOR (TOWN PLANNING- NORTH)
BRUHATH BANGALORE MAHANAGARA PALIKE,
N R SQUARE,
BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE ENDORSEMENT DTD:23.6.2020 ISSUED BY THE R-3
AT ANNEXURE-P INsofar AS IT SEEKS TO RECOVER
RS.36,46,160 TOWARDS GROUND RENT AND GST AT THE
RATE OF 18 PERCENT AND ETC.,

IN WRIT PETITION No.8993/2020

BETWEEN

1. M. THIYAGARAJAN
AGED 62 YEARS,
S/O LATE T. MURUGAVEL,
NO.519, SY. NO.24/2,
MAHADEVAPURA VILLAGE,
K.R.PURAM HOBLI,
WARD NO.81,

MAHADEVAPURA ZONE,
BENGALURU – 560 048.

2. OMAR FAROOK
S/O A. SHAKOOR,
AGED 56 YEARS,
NO.519, SY. NO.24/2,
MAHADEVAPURA VILLAGE,
K.R.PURAM HOBLI,
WARD NO.81,
MAHADEVAPURA ZONE,
BENGALURU – 560 048.

REPRESENTED BY THEIR GPA
M/S SAI PRAGATHI ESTATES AND
CONSTRUCTIONS PVT. LTD.,
REGISTERED OFFICE AT
FLAT NO.501, 5TH FLOOR,
PLOT NO.3-6-517, SAO DATTA ARCADE,
HIMAYAT NAGAR,
HYDERABAD – 500 029.
REPRESENTED BY ITS
MANAGING DIRECTOR
SRI K.PRATAP REDDY.

... PETITIONERS

(BY SRI T P VIVEKANANDA, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
4TH FLOOR, VIKAS SOUDHA,
DR. AMBEDKAR VEEDHI,
BENGALURU – 560 001.

2. THE BRUHAT BANGALORE MAHANAGARA PALIKE
N.R SQUARE, BENGALURU – 560 002
REPRESENTED BY ITS COMMISSIONER.
3. THE JOINT DIRECTOR
(BUILDING LICENSE CELL-NORTH),
BRUHAT BANGALORE MAHANAGARA PALIKE,
N.R. SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE DEMAND NOTICE DTD.18.5.2020 AT ANNEXURE-E ISSUED BY THE R-3 ONLY IN SO FAR AS THE DEMAND OF RS.20,60,543/- TOWARDS THE GROUND RENT AND GST OF RS.3,70,898/- AND RS.68,685/- TOWARDS SCRUTINY FEE RS.13,73,695/- TOWARDS LICENSE FEE ARE CONCERNED AND ETC.,

IN WRIT PETITION No.9421/2020

BETWEEN

1. M/S. PARIWAR HOUSING CORPORATION
A PARTNERSHIP FIRM
HAVING ITS OFFICE AT NO.167, 36TH CROSS,
18TH MAIN, 4TH 'T' BLOCK JAYANAGAR,
BENGALURU – 560 041.

REPRESENTED BY ITS PARTNER
SRI A.KIRAN KUMAR
AGED ABOUT 34 YEARS,
S/O LATE ANAND.

2. M/S WISE BUILDERS AND DEVELOPERS
A PARTNERSHIP FIRM
HAVING ITS OFFICE AT NO.169, 6TH MAIN,
JAYANAGAR 4TH BLOCK, BENGALURU – 560 011.

REPRESENTED BY ITS PARTNER
SRI C.VENKATESH
S/O LATE CHENGAMA NAIDU,
AGED ABOUT 50 YEARS.

... PETITIONERS

(BY SRI B.PRAMOD, ADVOCATE)

AND

1. THE STATE OF KARNATAKA
THE URBAN DEVELOPMENT DEPARTMENT
VIKASA SOUDHA, DR.B.R.AMBEDKAR VEEDHI,
BENGALURU – 560 001
REPRESENTED BY ITS SECRETARY.
2. THE STATE OF KARNATAKA
THE LABOUR DEPARTMENT,
VIKASA SOUDHA, DR.B.R.AMBEDKAR VEEDHI,
BENGALURU – 560 001
REPRESENTED BY ITS UNDER SECRETARY.
3. BRUHATH BANGALORE MAHANAGAR PALIKE
N.R.SQUARE, BENGALURU – 560 002
REPRESENTED BY ITS COMMISSIONER.
4. THE ASSISTANT DIRECTOR
(TOWN PLANNING)
MAHADEVAPURA DIVISION,
BRUHATH BANGALORE MAHANAGARA PALIKE,
WHITEFIELD MAIN ROAD, BENGALURU – 560 048.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 & R2;
SRI SREENIDHI V., AND SMT.SINCHANA M.R.,

ADVOCATES FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE CIRCULAR DATED 04.09.2015 ISSUED BY THE R-3 (ANNEXURE - E) IN SO FAR THE PETITIONERS ARE CONCERNED AND ETC ,

IN WRIT PETITION No.11152/2020

BETWEEN

1. M/S PARAKITE BUILDERS PVT. LTD.,
A PRIVATE LIMITED COMPANY HAVING ITS
REGISTERED OFFICE AT
M/S. GPR TOWERS, NO.6,
PARK ROAD, TASKER TOWN,
BENGALURU – 560 051.
REPRESENTED BY ITS
DIRECTOR AND AUTHORIZED SIGNATORY
SRI AVINASH AGARWALL.
2. SRI M. NARAYANA
S/O LATE MUNI VENKATAPPA
AGED ABOUT 81 YEARS,
(SENIOR CITIZEN BENEFIT NOT CLAIMED)
RESIDING AT GRAPE GARDEN,
OPP. CHANDRAMMA CHOULTRY,
SEVANAGAR, BENGALURU – 560 033.
3. SRI M.SUBBANNA
S/O LATE MUNI VENKATAPPA,
AGED ABOUT 79 YEARS,
(SENIOR CITIZEN BENEFIT NOT CLAIMED)
RESIDING AT GRAPE GARDEN,
OPP. CHANDRAMMA CHOULTRY,
SEVANAGAR, BENGALURU – 560 033.

PETITIONER NOS.2 & 3 ARE REPRESENTED BY
THEIR POWER OF ATTORNEY HOLDER,
PETITIONER NO.1 REPRESENTED BY ITS
AUTHORIZED SIGNATORY
MR. AVINASH AGARWALL.

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA, BENGALURU – 560 001.
2. THE UNDER SECRETARY
MINISTRY OF LABOUR,
VIKASA SOUDHA,
BENGALURU – 560 001.
3. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.
4. THE JOINT DIRECTOR (BUILDING LICENSE
CELL-NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE, BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R1 AND R2
(PHYSICAL HEARING);
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE GOVERNMENT ORDER ISSUED BY THE R-2

DATED 18.01.2007 AND THE CORRIGENDUM THEREIN DATED 28.02.2007 MANDATING UPFRONT COLLECTION OF LABOUR WELFARE CESS, AS CONTAINED IN ANNEXURE-C AND ETC.,

IN WRIT PETITION No.11163/2020

BETWEEN

SRI SATHYA SAI HEALTH AND EDUCATION TRUST
HAVING ITS OFFICE AT NO.303,
TARA APARTMENT,
NO.132, INFANTRY ROAD,
BENGALURU - 560 001.

REPRESENTED BY ITS POWER
OF ATTORNEY HOLDER,
M/S VISHNU PRIYA GROUP OF BUILDERS
AND DEVELOPERS A PARTNERSHIP
FIRM HAVING ITS REGISTERED OFFICE
AT NO.1-7-331, CHAITANYAPURI,
DILSUKHNAGAR, HYDERABAD - 500 060
REPRESENTED BY ITS PARTNER AND
AUTHORIZED SIGNATORY
SRI.M.ANIL KUMAR.

... PETITIONER

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU - 560 001.

2. THE UNDER SECRETARY
MINISTRY OF LABOUR,
VIKASAS SOUDHA,
BENGALURU – 560 001.
 3. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.
 4. THE JOINT DIRECTOR (BUILDING LICENSE
CELL - NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALRU – 560 002.
- ... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA, ADVOCATE FOR R1
AND R2 (PHYSICAL HEARING);
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE GOVERNMENT ORDER ISSUED BY THE R-2
DTD.18.1.2007 AND THE CORRIGENDUM THEREON
DTD.28.2.2007 MANDATING UPFRONT COLLECTION OF
LABOUR WELFARE CESS, AS CONTAINED IN ANNEXURE-C
AND ETC.,

IN WRIT PETITION No.11307/2020

BETWEEN

1. G. V. NAGARAJA REDDY
S/O G. T. VENKATASWAMY REDDY,
AGED ABOUT 56 YEARS.
2. G. V. SATISH REDDY
S/O G. T. VENKATASWAMY REDDY,
AGED ABOUT 54 YEARS.

PETITIONER NOS.1 AND 2 ARE
RESIDING AT GUNJUR
VILLAGE AND POST,
BENGALURU EAST TALUK,
BENGALURU – 560 085.

PETITIONER NOS.1 AND 2 ARE
REPRESENTED BY THEIR
POWER OF ATTORNEY HOLDER,
M/S. ND DEVELOPERS PVT. LTD.,
A PRIVATE LIMITED COMPANY HAVING ITS
REGISTERED OFFICE AT NO.398, 2ND FLOOR,
7TH CROSS, MICO LAYOUT,
B.T.M. 2ND STAGE,
BENGALURU – 560 076.

REP. BY ITS AUTHORIZED SIGNATORY
SRI AVINASH AGARWALL.

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU – 560 001.
2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE,
N.R.SQUARE, BENGALURU – 560 002.
3. THE ASSISTANT DIRECTOR
TOWN PLANNING,
MAHADEVAPURA WARD,

BRUHAT BENGALURU MAHANAGARA PALIKE,
BENGALURU – 560 048.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 AND R2
(PHYSICAL HEARING)
SRI SREENIDHI V AND SMT.SINCHANA M.R.,
ADVOCATES FOR R3 AND R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE CIRCULAR ISSUED BY THE R-2
COMMISSIONER DATED 4.9.2015 LEVYING FEES FOR
ISSUE OF OCCUPANCY CERTIFICATE AS CONTAINED IN
ANNEXURE-G AND ETC.,

IN WRIT PETITION No.12570/2020

BETWEEN

1. SRI.Y. MUNIRAJAPPA
AGED ABOUT 66 YEARS
S/O LATE SRI DODDA YAMANNA
2. SMT. NARAYANAMMA
W/O SRI Y MUNIRAJAPPA
AGED ABOUT 45 YEARS.
3. SMT.C.JAMUNA
W/O SRI Y MUNIRAJPPA
AGED 45 YEARS
4. SRI M.MAHESH
S/O MR. MUNIRAJAPPA
AGED ABOUT 26 YEARS.
5. SRI M YATHISH
S/O M Y MUNIRAJAPPA
AGED ABOUT 24 YEARS.

6. SMT.KAMALAMMA
W/O LATE SRI Y.VENKATASWAMY
AGED ABOUT 71 YEARS.
7. SRI V.NAGESH
S/O LATE SRI Y VENKATASWAMY
AGED ABOUT 50 YEARS.
8. SMT.GAYATHRAMMA
D/O LATE SRI Y.VENKATASWAMY
AGE ABOUT 48 YEARS
9. SRI HEMAVATHI V.,
D/O LATE SRI Y.VENKATASWAMY Y
AGED ABOUT 46 YEARS.
10. SRI V.ASHOK
S/O LATE SRI Y.VENKATASWAMY
AGED ABOUT 43 YEARS.
11. SRI Y.MUNYALLAPPA
S/O LATE SRI DODDA YAMANNA
AGED ABOUT 71 YEARS
12. SMT.AMMAYAMMA
W/O SRI Y.MUNYALLAPA
AGED ABOUT 60 YEARS.
13. SRI M.SOMANATH
S/OLATE SRI DODDA YAMANNA
AGED ABOUT 46 YEARS.
14. SRI M.CHANDRASHEKAR
S/O MR.Y.MUNYALLAPPA
AGED 41 YEARS.
15. SRI SRINIVAS
S/O MR Y.MUNYALLAPPA
AGED ABOUT 36 YEARS.

16. SMT.RENUKA
D/O MR Y.MUNIYALLAPPA
AGED ABOUT 37 YEARS
17. SRI HARISH
S/O MR Y.MUNIYALLAPPA
AGED ABOUT 32 YEARS.
18. SMT.SARASWATHAMMA
D/O LATE SRI DODDA YAMANNA
AGED ABOUT 60 YEARS.
19. SMT GOWRAMMA
D/O LATE SRI RATHNAPPA
AGED ABOUT 66 YEARS.
20. SMT.ANJINAMMA
D/O LATE SRI RATHNAPPA
AGED ABOUT 59 YEARS.
21. SMT.SAROJAMMA
D/O LATE SRI RATHNAPPA
AGED ABOUT 56 YEARS.
22. SRI R.NARAYANASWAMY
S/O LATE SRI RATHNAPPA
AGED ABOUT 53 YEARS.
23. SMT KALPANA
D/C LATE SRI R NARAYANAWAMY
AGED ABOUT 36 YEARS.
24. SMT.PRATHIBA
S/O SRI R.NARAYANASWAMY
AGED ABOUT 34 YEARS.
25. SRI N.AVINASH
S/O SRI NARAYANASWAMY
AGED ABOUT 33 YEARS.

26. SRI R.VENUGOPAL
S/O LATE SRI RATHNAPPA
AGED ABOUT 50 YEARS.
27. SMT.MANJULA
W/O SRI R.VENUGOPAL
AGED ABOUT 44 YEARS.
28. SMT.SOWMYA
D/O SRI R.VENUGOPAL
AGED ABOUT 30 YEARS.
29. SRI ARUN KUMAR
S/O SRI R.VENUGOPAL
AGED ABOUT 25 YEARS.
30. SMT.VENKATAMMA
W/O LATE SRI SHAMANNA
AGED ABOUT 71 YEARS.
31. SRI S.MANJUNATH
S/O LATE SRI SHAMANNA
AGED ABOUT 51 YEARS

PETITIONERS NO.1 TO 31 ARE
RESIDING AT HORAMAVU VILLAGE
K.R.PURAM HOBLI,
BENGALURU EAST TALUK
BENGALURU.

32. SMT.AMMAYAMMA
W/O LATE SRI RAMAIAH
AGED ABOUT 76 YEARS
33. SMT. R. BHAGYALAKSHMI
D/O LATE SRI RAMAIAH
AGED ABOUT 46 YEARS.

34. SMT R.MANJULA
D/O LATE SRI RAMAIAH
AGED ABOUT 42 YEARS
35. SMT.R.GIRIJA
D/O LATE SRI RAMAIAH
AGED ABOUT 38 YEARS.
36. SRI M.KRISHNAPPA
S/O LATE SRI MUNISWAMAPPA
AGED ABOUT 83 YEARS.
37. SMT. SUSHEELAMMA
W/O SRI M KRISHNAPPA
AGED ABOUT 71 YEARS.
38. SRI K.SRINIVASA MURTHY
S/O SRI M.KRISHNAPPA
AGED ABOUT 47 YEARS.
39. SMT.K.KANAKA
D/O SRI M.KRISHNAPPA
AGED ABOUT 41 YEARS.
40. SRI K.RAVI
S/O SRI M KRISHNAPPA
AGED ABOUT 32 YEARS
41. SRI M.SRIRAMAIAH
S/O LATE SRI MUNISWAMAPPA
AGED ABOUT 71 YEARS
42. SMT. NANJAMMA
W/O SRI M SRIRAMAIAH
AGED ABOUT 66 YEARS.
43. SMT.S.RADHA
D/O SRI M.SRIRAMAIAH
AGED ABOUT 47 YEARS.

44. SMT S INDIRA
D/O SRI M SRIRAMAIAH
AGED ABOUT 45 YEARS.
45. SRI S SATISH
S/O SRI M SRIRAMAIAH
AGED ABOUT 42 YEARS.

PETITIONER NO.32 TO NO.35 ARE
RESIDING AT NO 297,
HORAMAVU VILLAGE AND POST
BENGALURU – 560 043.

PETITIONERS NO.41 TO 45 ARE
RESIDING AT NO.1, 2ND MAIN,
HORAMAVU VILLAGE AND POST,
BENGALURU - 560 043.

REPRESENTED BY IT'S
POWER OF ATTORNEY HOLDER
M/S A.S.N DEVELOPERS
A PARTNERSHIP FIRM
HAVING ITS REGISTERED
OFFICE AT NO 39,
HORAMAVU VILLAGE
K R PURAM HOBLI,
BENGALURU EAST TALUK
BENGALURU – 560 016.

REPRESENTED BY ITS
MANAGING PARTNER
SRI P.BALASUBRAMANYAM

... PETITIONERS

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ADDITIONAL CHIEF SECRETARY
URBAN DEVELOPMENT DEPARTMENT

VIDHANA SOUDHA
BENGALURU – 560001.

- 2 . THE UNDER SECRETARY
MINISTRY OF LABOUR
VIKASA SOUDHA
BENGALURU – 560 001.
3. BRUHAT BENGALURU MAHANAGARA PALIKE
REPRESENTED BY
THE COMMISSIONER
N.R.SQUARE, BENGALURU – 560 002.
4. THE ASSISTANT DIRECTOR
TOWN PLANNING (ADTP),
BRUHAT BENGALURU MAHANAGARA PALIKE
TOWN PLANNING (MAHADEVAPURA),
RHB COLONY WHITEFIELD MAIN ROAD
BENGALURU – 560 048.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 AND R2
(PHYSICAL HEARING);
SRI SREENIDHI V & SMT.SINCHANA M.R.,
ADVOCATES FOR R3 & R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE GOVERNMENT ORDER ISSUED BY THE R- 2
DATED 18.01.2007 AND THE CORRIGENDUM THEREIN
DATED 28.02.2007 MANDATING UPFRONT COLLECTION
OF LABOUR WELFARE CESS, AS CONTAINED IN
ANNEXURE – C AND ETC.,

IN WRIT PETITION No.12576/2020

BETWEEN

H. T. MOHANDAS

S/O H.C.THAMMAIAH,
AGED ABOUT 58 YEARS,
RESIDING AT NO.52
3RD CROSS, SATYANARAYANA LAYOUT
WEST OF CHORD ROAD, 3RD STAGE,
4TH BLOCK, BASAVESHWARANAGAR
BENGALURU – 560 079.

... PETITIONER

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU – 560 001.
2. THE UNDERSECRETARY
MINISTRY OF LABOUR
VIKASA SOUDHA,
BENGALURU – 560 001.
3. BRUHAT BENGALURU
MAHANAGARA PALIKE
REPRESENTED BY ITS
COMMISSIONER,
N R SQUARE,
BENGALURU – 560 002.
4. ASSISTANT DIRECTOR
TOWN PLANNING
(RAJARAJESHWARINAGARA)
BRUHAT BENGALURU
MAHANAGARA PALIKE
18TH CROSS IDEAL HOME LAYOUT,
RR NAGAR, NEAR BESCOFFICE,
BENGALURU – 560 098.

... RESPONDENTS

(BY SRI R.SRINIVAS GOWDA, AGA FOR R1 & R2
(PHYSICAL HEARING);
SRI SREENIDHI V & SMT.SINCHANA M.R., ADVOCATES
FOR R3 & R4 (PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE GOVERNMENT ORDER ISSUED BY THE R-2
DATED 18.01.2007 AND THE CORRIGENDUM THEREIN
DATED 28.02.2007 MANDATING UPFRONT COLLECTION
OF LABOUR WELFARE CESS, AS CONTAINED IN
ANNEXURE-C AND ETC.,

WRIT PETITION No.13116/2020

BETWEEN

M/S BHARTIYA URBAN PVT LTD
(FORMERLY M/S BHARTIYA CITY DEVELOPERS PVT LTD)
A PRIVATE LIMITED COMPANY HAVING ITS REGISTERED
OFFICE AT:
56/7, NALLAMBAKKAM VILLAGE
VIA VANDALUR
CHENNAI-600048
AND ADMINISTRATIVE OFFICE AT
NO.1/5, PALACE ROAD
BENGALURU-560001
REPRESENTED BY ITS AUTHORIZED SIGNATORY
MR SHAMA SUNDER R J ... PETITIONER

(BY SRI SAMMITH S., ADVOCATE)

AND

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY
URBAN DEVELOPMENT DEPARTMENT

VIDHANA SOUDHA
BENGALURU – 560 001.

2. THE COMMISSIONER
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE,
BENGALURU – 560 002.
3. THE JOINT DIRECTOR (TOWN PLANNING-NORTH)
BRUHAT BENGALURU MAHANAGARA PALIKE
N.R.SQUARE,
BENGALURU – 560 002.

... RESPONDENTS

(BY SRI R. SRINIVAS GOWDA, AGA FOR R-1,
SRI SREENIDHI V. AND SMT.SINCHANA M.R.,
ADVOCATES FOR R2 AND R3
(PHYSICAL HEARING))

THIS WRIT PETITION IS FILED UNDER ARTICLE 226
OF THE CONSTITUTION OF INDIA PRAYING TO QUASH
THE CIRCULAR ISSUED BY THE R-2 COMMISSIONER
DATED 4.9.2015 LEVYING FEES FOR ISSUE OF
OCCUPANCY CERTIFICATE, AS CONTAINED IN ANNEXURE
- G AND ETC.,

THESE WRIT PETITIONS HAVING BEEN HEARD
AND RESERVED FOR ORDERS ON 03.02.2021,
COMING ON FOR PRONOUNCEMENT THIS DAY, THE
COURT MADE THE FOLLOWING :-

ORDER

Conglomeration of these petitions raise a challenge to several imposts/fee imposed by the Bruhath Bengaluru Mahanagara Palike¹ and the State of Karnataka upon the residents and developers/builders of the city of Bengaluru, all of which come under the precincts of the BBMP.

2. Since these petitions run into several numbers, I deem it appropriate to use the pleadings in W.P.No.36017/2018, W.P.No.4601/2020 and W.P.No.8249/2020, which are the leading petitions for noticing the facts, as all of the actions are challenged in these petitions. All the other petitions raise a common challenge.

¹ 'the BBMP' for short

FACTUAL SCORE:**W.P.No.36017 of 2018:-**

3. The subject petition is filed by M/s Vaswani Estates Developers Private Limited², a developer. The Company claims to be a Private Limited Company registered under the Companies Act, 1956 which is in the business of construction/development of several residential and commercial projects in and around the City of Bangalore. It is the claim of the Company that in order to develop certain lands in the property bearing Municipal Nos.1 and 1/1 Madras Tank Road/St.Marks Road with PID No.76-20-35 owned by one Sri P.H. Krishna Reddy, the Land Owner, the Company and the Land Owner entered into a joint development agreement on 11-02-2005 in respect of the aforesaid property to construct a commercial building and registered the same at the jurisdictional sub-registrar. It also transpires that several supplemental joint agreements

² 'the Company' for short

took place between the Company and the Land Owner which is not the concern or the issue in this petition.

4. The Company intending to construct a commercial building on the property and several agreements having been entered into between the parties, the Company had to and did obtain 'no objections' from concerned departments in respect of construction to be undertaken on the property. All no objection certificates obtained from several statutory authorities are also annexed to the petition.

5. As stated above, the Company intending to construct a commercial building on the property (3B+G+9UF) made an application on 20th March, 2018 along with requisite documents prescribed in law to the BBMP and the Town Planning Department of the BBMP. The Company also remitted requisite fee of Rs.68,534/- along with the application.

6. The BBMP approved and granted building licence as also a sanctioned plan to the Company on 04-07-2018. The 3rd respondent/Department of Town Planning of the BBMP issued an endorsement demanding Rs.1,86,86,000/- from the Company under various heads set out in the endorsement and an additional amount of labour cess of Rs.17,16,200/- for the purpose of grant of building licence and sanction of plan. The impugned demands made read as follows:

“ಶುಲ್ಕ ಪಾವತಿ ತಿಳುವಳಿಕೆ ಪತ್ರ

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಆಸ್ತಿ ಖಾತಾ ಸಂಖ್ಯೆ:36, ಪಿ.ಐ.ಡಿ ಸಂಖ್ಯೆ. 70-20-36, ಸೇಂಟ್ ಮಾರ್ಕ್ಸ್ ರಸ್ತೆ, ವಾರ್ಡ್ ನಂ.111, ಶಾಂತಿನಗರ, ಬೆಂಗಳೂರು ಇಲ್ಲಿ ನಿರ್ಮಿಸಲು ಉದ್ದೇಶಿಸಿರುವ ವಾಣಿಜ್ಯ ಕಟ್ಟಡಕ್ಕೆ ನಕ್ಷೆ ಮಂಜೂರಾತಿ ಕೋರಿರುವ ಪ್ರಸ್ತಾವನೆಗೆ ಮಾನ್ಯ ಆಯುಕ್ತರವರು ಉಲ್ಲೇಖ (1) ರಲ್ಲಿ ಅನುಮೋದನೆ ನೀಡಿರುತ್ತಾರೆ. ಮಾನ್ಯ ಆಯುಕ್ತರು ರವರು ಉಲ್ಲೇಖ (2) ರ ಸುತ್ತೋಲೆಯಂತೆ ನೆಲಬಾಡಿಗೆ ಶುಲ್ಕಕ್ಕೆ ಸರಕು ಮತ್ತು ಸೇವಾ ತೆರಿಗೆ ಪಾವತಿಸಿಕೊಳ್ಳುವ ಬಗ್ಗೆ ಆನ್‌ಲೈನ್ ತಂತ್ರಾಂಶದಲ್ಲಿ ಉತ್ತತ್ತಿಯಾಗುವ ರಸೀದಿಯಲ್ಲಿ ಅಳವಡಿಸಲಾಗಿರುತ್ತದೆ. ಇದರಂತೆ ಸಿ.ಜಿ.ಎಸ್.ಟಿ ಶೇ.9 ಮತ್ತು ಎಸ್.ಜಿ.ಎಸ್.ಟಿ ಶೇ.9 ರಷ್ಟನ್ನು ನೆಲಬಾಡಿಗೆ ಶುಲ್ಕದ ಮೊತ್ತಕ್ಕೆ ಒಟ್ಟು ಶೇ.18 ರಷ್ಟು ಜಿ.ಎಸ್.ಟಿ ಪಾವತಿಸಿಕೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ. ಅದರಂತೆ ನಕ್ಷೆ ಮಂಜೂರಾತಿ ಸಂಬಂಧ

ಲೈಸೆನ್ಸ್ ಫೀ, ಇತರೇ ಶುಲ್ಕಗಳ ಬಾಬು ಮತ್ತು ಜಿ.ಎಸ್.ಟಿ. ಸೇರಿದಂತೆ ಪಾವತಿಸಬೇಕಾದ ಮೊತ್ತವನ್ನು ಕೆಳಕಂಡಂತೆ ವಿವರಿಸಲಾಗಿದೆ.

ಪಾಲಿಕೆಗೆ ಪಾವತಿಸಬೇಕಾದ ಶುಲ್ಕ

ಕ್ರಮ ಸಂಖ್ಯೆ	ಶುಲ್ಕಗಳ ವಿವರ	ಶುಲ್ಕ ರೂ.
1	ನೆಲ ಬಾಡಿಗೆ	67,61,057-00
	ಜಿಎಸ್‌ಟಿ 18% (ನೆಲ ಬಾಡಿಗೆ ಮೊತ್ತಕ್ಕೆ)	12,16,990-00
2	ಉತ್ತಮತೆ ಶುಲ್ಕ: 1. ಕಟ್ಟಡಕ್ಕಾಗಿ	1,22,129-00
	2. ನಿವೇಶನಕ್ಕಾಗಿ	2,12,486-00
3	ಭದ್ರತಾ ರೇವಣಿ	12,21,291-00
4	ಲೈಸೆನ್ಸ್ ಶುಲ್ಕ	89,66,697-00
5	ನಕ್ಷೆ ಪ್ರತಿಗಳ ಶುಲ್ಕ ಮತ್ತು ಆವರಣಗೋಡೆ ಶುಲ್ಕ	96,000-00
6	ಶೇ 1 ರಷ್ಟು ಕಾರ್ಮಿಕ ಕಲ್ಯಾಣ ನಿಧಿಯಿಂದ ಪಾಲಿಕೆಗೆ ಸಂದಾಯವಾಗಬೇಕಾದ ಸೇವಾ ಶುಲ್ಕ	17,779-00
7	ಕೆರೆ ಪುನರುಜ್ಜೀವನ ಶುಲ್ಕ	70,829-00
	ಒಟ್ಟು	1,86,85,258-00
	Say Rs.	1,86,86,000-00

It is these two endorsements and the fee that is levied under various heads in terms of aforementioned endorsement that are the subject matter of challenge in

this petition. This petition concerns challenge to ***(i) ground rent, (ii) licence fee, (iii) lake rejuvenation fee and (iv) scrutiny fee.***

W.P.No. 4601 of 2020:-

7. The petitioners in this writ petition are Mr. Sunderam Shetty and others. The contention of the petitioners in this petition is akin to what is contended in the aforesaid writ petition. Here again, when documents were submitted to the BBMP, after arriving at a joint development agreement for sanction of plan and grant of building licence for construction of a residential apartment complex, the BBMP made the grant of such permission/licence subject to payment of ground rent and several other demands which run into several crores on various heads. The challenge in this petition is to the following action of levying fee/tax. The prayer of the petitioners reads as follows:-

- (i) Issue a writ of certiorari or similar writ or order or direction to quash the demand notice No.BBMP/Addl.Dir/JD North/LP/0048/2014-15 dated 18-02-2020 at **Annexure-G** issued by the respondent No.3 only in so far as the demand of Rs.77,73,818/- towards ground rent and GST at 18% on the ground rent at Rs.13,99,287/- and scrutiny fee of Rs.5,18,255/-.
- (ii) Issue a writ of mandamus or any other appropriate writ or order or direction declaring that Bye-law No.3.9 in the Bangalore Mahanagara Palike Building Bye-laws, 2003 as unconstitutional, arbitrary, illegal and ultra vires.
- (iii) Issue a writ of mandamus or similar writ or order or direction directing respondent Nos. 2 and 3 to issue occupancy certificate pursuant to the demand notice No. BBMP/Addl.Dir/JD North/LP/0448/2014-15 dated 18-02-2020 at **Annexure-G** without insisting for payment of Rs.77,73,818/-

towards ground rent and GST at 18% on the ground rent at Rs.13,99,287/- and scrutiny fee of Rs.5,18,255/-.

(iv) Issue any other appropriate writ or order or direction as deemed fit in the circumstances of the case, in the interest of justice and equity.”

W.P.No. 8849 of 2020:-

8. In this writ petition, apart from what is challenged by the petitioners in the writ petitions noted hereinabove, the petitioner is seeking to raise a challenge to the demand of Labour Cess imposed by Government of Karnataka under the Building and Other Construction Workers' Welfare Cess Act, 1996³ to be paid to the Welfare Board. The impugned demands made are as follows:

“ಶುಲ್ಕ ಪಾವತಿ ತಿಲವಳಿಕೆ

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ (ಸರ್ವೆ ನಂ.589),

Nagondanahalli & Hagadur village, K R Puram

³ **‘Welfare Cess Act’** for short

Hobli, Bangalore East Taluk, Ward-084 ವಲಯ,
ಬೆಂಗಳೂರು JDTP- North ಇಲ್ಲಿ ನಿರ್ಮಿಸಲು ಉದ್ದೇಶಿಸಿರುವ
Residential - Apartment ಉಪಯೋಗದ ಕಟ್ಟಡಕ್ಕೆ New
(FRESH PLAN SANCTION) ಕೋರಿರುವ ಪ್ರಸ್ತಾವನೆಗೆ
Commissioner ರವರು ದಿನಾಂಕ:10 June, 2020 ಅನುಮೋದನೆ
ನೀಡಿ. New (FRESH PLAN SANCTION) ಸಂಬಂಧ ಲೈಸೆನ್ಸ್
ಫೀ ಮತ್ತು ಇತರೇ ಶುಲ್ಕಗಳ ಬಾಬು ಪಾವತಿಸಬೇಕಾದ ಶುಲ್ಕಗಳ ವಿವರಗಳು
ಈ ಕೆಳಕಂಡಂತೆ ವಿವರಿಸಲಾಗಿದೆ.

I. ಪಾಲಿಕೆಗೆ ಪಾವತಿಸಬೇಕಾದ ಶುಲ್ಕ		
ಕ್ರಮ ಸಂಖ್ಯೆ	ಶುಲ್ಕಗಳ ವಿವರ	ಶುಲ್ಕ ರೂ.
1	ಪರಿಶೀಲನಾ ಶುಲ್ಕ	7,85,384.28
2	ಪರವಾನಗಿ ಶುಲ್ಕ	1,57,07,685.60
3	ನೆಲ ಬಾಡಿಗೆ - ಜಿಯೋಟಿ 18% (ನೆಲ ಬಾಡಿಗೆ ಮೊತ್ತಕ್ಕೆ)	92,67,534.50
4	ಕೆಟಿಸಿಪಿ ಕಾಯ್ದೆ - 1961 ಕಲಂ 18 ರಂತೆ ಶುಲ್ಕ (ಉತ್ತಮತೆ ಶುಲ್ಕ): ಕಟ್ಟಡಕ್ಕಾಗಿ	3,49,060.00
5	ಕೆಟಿಸಿಪಿ ಕಾಯ್ದೆ - 1961 ಕಲಂ 18 ರಂತೆ ಶುಲ್ಕ (ಉತ್ತಮತೆ ಶುಲ್ಕ): ನಿವೇಶನಕ್ಕಾಗಿ	00.00
6	ಭದ್ರತಾ ಠೇವಣಿ	1,74,52,984.00
7	ಕೆರೆ ಪುನರುಜ್ಜೀವನ ಶುಲ್ಕ	00.00
8	ಆವರಣಗೋಡೆ ಶುಲ್ಕ	2,15,000.00
9	ರಸ್ತೆ ಅಗತ ಶುಲ್ಕ	NA
10	ಶೇ 1 ರಷ್ಟುಕಾರ್ಮಿಕ	2,17,047.00

	ಕಲ್ಯಾಣ ನಿಧಿಯಿಂದ ಪಾಲಿಕೆಗೆ ಸಂದಾಯವಾಗಬೇಕಾದ ಸೇವಾ ಶುಲ್ಕ	
	ಒಟ್ಟು ಶುಲ್ಕ	4,32,04,000.00

ನಕ್ಷೆ ಮಂಜೂರಾತಿ / ಪರವಾನಗಿ ಸಂಬಂಧ ಶುಲ್ಕದ ಬಾಬು
ರೂ.4,32,04,000.00/- (ರೂ. Rupees Four Crore Thirty
Two Lacs Four Thousand Only) Debit Card /
Credit Card / Net Banking ಮುಖಾಂತರ
Commissioner, BBMP ಗೆ ಪಾವತಿಸುವುದು.

II ಕಟ್ಟಡ ಮತ್ತು ಇತರೇ ನಿರ್ಮಾಣ ಕಾರ್ಮಿಕರು ಕಲ್ಯಾಣ ಮಂಡಳಿಗೆ ಪಾವತಿಸಬೇಕಾದ ಸೆಸ್ ಮೊತ್ತ		
ಕ್ರಮ ಸಂಖ್ಯೆ	ಶುಲ್ಕಗಳ ವಿವರ	ಶುಲ್ಕ ರೂ.
	ಕಾರ್ಮಿಕ ಕಲ್ಯಾಣ ನಿಧಿಗೆ ಪಾವತಿಸಬೇಕಾದ ಕರದ ಮೊತ್ತ	2,14,88,000.00
		2,14,88,000.00

Identical demands are made in all these cases.

9. According to the petitioners, they are legally liable to be pay only betterment fee, compound wall fee and no other levy that is sought to be imposed upon them. Insofar as it concerns this writ petition, it is the

case of the petitioners that Government of Karnataka issued corrigendum on 08-01-2007 and 28-02-2007 prescribing the procedure for levy of labour cess. Clause (c) of the Government order dealt with labour cess in respect of construction work which is approved by any legal authority. The demand notice issued by the 3rd respondent/Town Planning Department of the BBMP charge one percent labour cess in a manner that is not sanctioned by law. The learned counsel would contend that petitioners are not liable to pay upfront, labour cess and service charge on labour cess. The demand made by the 3rd respondent is contrary to the Act and the rules as the Rules do not contemplate payment of upfront labour cess. Therefore, broadly, the contention of the petitioners in the aforesaid writ petitions is that the fee that is levied upon them is without authority of law, without application of mind and contrary to the Act and the Rules and the Byelaws

that empower imposition of fee upon the petitioners and the like.

10. Heard Ms. Nayantara, learned counsel appearing for the petitioner in Writ Petition No. 36017/2018, Sri. T.P.Vivekananda, learned counsel appearing for petitioners in Writ Petition No.4601/2020, Sri. Madhukar Deshpande, learned counsel appearing for petitioner in Writ Petition No.8849/2020, Sri.Sammith.S., learned counsel appearing for petitioners in Writ Petition No.12570/2020 and Sri C.K.Nanda Kumar, learned counsel appearing for petitioner in Writ Petition No.24906/2019.

10.1. Heard Sri K.G.Raghavan, learned senior counsel appearing petitioner in Writ Petition No.13495/2019, Sri G. Krishnamurthy, learned senior counsel appearing for petitioners in Writ Petition No.57893/2018, Sri Jayakumar S.Patil, learned senior

counsel appearing for petitioner in Writ Petition No.16461/2017 and Sri V.Sreenidhi, learned counsel along with Smt. Sinchana.M.R, learned counsel appearing for BBMP.

SUBMISSIONS:

PETITIONERS:

11. Ms. Nayanatara, learned counsel representing the petitioner in Writ Petition No.36017/2018, spearheading the arguments in all cases, would raise the following contentions:

- (i) Levy of fee that is challenged is in blatant violation of the power to do so by the BBMP.
- (ii) Characterization of impugned levy is without authority of law.
- (iii) It is neither a fee nor a tax as there is no correlation between what is charged and *quid pro quo*
- (iv) The impugned levy is violative of Article 19(1)(g) of the Constitution of India.

- (v) All the levies are without authority of law as neither the Statute nor the Bye-laws empower the BBMP.
- (vi) Imposition of lake rejuvenation fee invoking Section 18(1)(A) of the Karnataka Town and Country Planning Act is also impermissible as it is imposed by way of a Circular dated 27.01.2017.
- (vii) Licence fee and scrutiny are imposed invoking the power under the bye-law and bye-laws have no force of law unless the Act empowers such imposition.
- (viii) The petitioner in this petition is entitled for refund of the entire amount deposited without prejudice.

The learned counsel Ms.Nayantara would place reliance upon the following judgments:

- a) Hutchison Essar South Limited V. Corporation of The City of Belgaum
ILR 2011 Karnataka 2631

- b) Wireless - TT Info Services Ltd. and Others V. State of Karnataka and Others
2012 (3) KarLJ 302
- c) Calcutta Municipal Corporation and Others V. Shrey Mercantile Pvt. Ltd. and others
(2005) 4 SCC 245
- d) The Commissioner, Hindu Religious Endowments, Madras V. Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt
AIR 1954 SC 282
- e) The Corporation of Calcutta and another V. Liberty Cinema
AIR (1965) SC 1107
- f) Delhi Race Club Ltd. V. Union of India and Others
(2012) 8 SCC 680
- g) Nagar Mahapalika Varnasi V. Durga Das Battacharya
AIR 1968 SC 1119
- h) Jindal Stainless Ltd., and another V. State of Haryana
(2017) 12 SCC 1
- i) State of Kerala and Others V. PJ Joseph
AIR 1958 SC 296
- j) Ahmedabad Urban Development Authority V. Sharad Kumar Jayantikumar Pasawalla and Others
AIR 1992 SC 2038

- k) Nagrik Upabhokta M. Manch V. Union of India and Others
AIR 2002 SC 2405
- l) M/S Govind Saran Ganga Saran V. Commissioner of Sales Tax and others
AIR 1985 SC 1041
- m) Corporation of Calcutta and Another V. Liberty Cinema
AIR 1965 SC 1107
- n) Pandit Banarsi Das Bhanot V. The State of Madhya Pradesh and Others
AIR 1958 SC 909
- o) Salolah Tea Company Ltd., V. Superintendent of Taxes Nowgong and Others.
AIR 1990 SC 772

12. Sri T.P.Vivekananda, learned counsel would also submit on similar lines with regard to the power of the BBMP to impose impugned levies and would further contend that the State Government is not empowered to impose Labour Cess on the petitioners in the case as even the said imposition/demand is without authority of law. The learned counsel Sri.T.P.Vivekananda would place reliance upon the following judgments:

- a) N.D.Sirur and Ors Vs. Corporation of the city of Bangalore and ors
1965(1) MLJ 316
- b) K.Pundalika Nayak Vs. City Municipal Council, Mangalore
1973(1) MLJ 298
- c) Mysore Kirloskar Ltd. Vs. Hubli Dharwad Municipal Corporation and another
1990(3) KLJ Supp 124
- d) Calcutta Municipal Corporation and Ors Vs. M/s.Shrey Mercantile Pvt. Ltd., and Ors
AIR 2005 SC 1879
- e) Om Prakash Agarwal etc., Vs. Giriraj Kishore and Ors
AIR 1985 SC 726

13. Sri Madhukar Deshpande, learned counsel who among other common challenges as mentioned hereinabove, challenges Labour Cess and has made elaborate submissions on imposition of Labour Cess being contrary to the procedure stipulated for levy of such cess under the Welfare Act, as the Government order notified in terms of the Act does not speak of levy in the manner that is made. In the said writ petition the

demand of Labour Cess though demanded by the BBMP, it is at the direction of the State Government, both of whom do not have any power to impose the said fee in the manner that it is demanded.

14. All other learned counsel who represented the petitioners have reiterated the submissions of the aforesaid learned counsel and therefore, they are not repeated.

RESPONDENT- BBMP:

15. Sri V.Sreenidhi, learned counsel appearing for the BBMP, in all these cases, would at the outset contend that the petitioners have filed these petitions under a mistaken notion that the demand made is a tax. According to the BBMP it is a fee that is leviable by the BBMP in terms of powers conferred in it by the bye-laws. It is his submission that for maintenance of streets of the City on which materials belonging to the

petitioners in all these cases are transported, fee is collected which cannot be termed as unjustified. He would further submit that building materials used for construction are being lavishly placed on roads of the BBMP while undertaking construction for which the petitioners in all these cases are bound to pay for the use of public place to store the materials and hence levy of ground rent.

15.1. It is his submission that plethora of documents are to be scrutinized by several officers of BBMP and infrastructure that is created for scrutiny of such documents empower the BBMP to charge scrutiny fee and would defend imposition of Labour Cess on the direction of Government and it is only the Government orders issued from time to time under the Welfare Act that are implemented. He would also further contend that the fee that is levied being linked to the guidance

value is under re-consideration at the hands of the BBMP.

15.2. Insofar as it concerns imposition of Lake Rejuvenation Fee, the BBMP would submit that it is at the direction of the State in terms of the circular of the Government dated 27.01.2017, the BBMP has issued a circular on 30.03.2017 as directed by the State for collection of Lake Rejuvenation Fee and the betterment charges linked to the guidance value.

15.3. The learned counsel laying emphasis on the presumption of constitutionality of the enactments would rely on the judgments of the Apex Court in the case of ***State of Bihar v. Bihar Distillery Ltd.***,⁴ and in the case of ***Bhanumati v. State of U.P.***,⁵ following ***Bihar Distillery*** and would submit that in the light of the activities of the Corporation, the demand of fee and its linking to the guidance value are all valid in law. He

⁴ (1997) 2 SCC 453

⁵ (2010) 12 SCC 1

further submits that the entire money that is collected goes into the Corporation fund for several functions performed by the Corporation in terms of Sections 58 and 59 of the Act.

RESPONDENT - STATE:

16. The learned Government Advocate submitted only on the issue of imposition of labour cess and lake rejuvenation fee. It is his contention that in terms of the Welfare Cess Act and the Rules made thereunder, collection of labour cess at 1% of the construction cost has been in force with effect from 26.09.1996 in terms of Section 3 of the said Act. Rules formulated in terms of the Act only empower the State to direct the BBMP to collect cess on behalf of the State as it is a local body. He would further submit that the Act being a welfare legislation, the imposition of payment of labour cess upfront at the time when the construction begins cannot be said to be illegal. The functions of the Board

constituted under Section 22 of the Act is to maintain the welfare of the labourers coming under the Act. He would further submit that the petitioners have an alternative remedy of filing an appeal before the Appellate Authority under Rule 11 of the Rules and the writ petition insofar as the challenge to imposition of labour cess and seeking its payment upfront ought to be dismissed on account of availability of statutory alternative remedy. He would submit that these are the only areas in which the States answer is required in these petitions and insofar as the other issues are concerned would toe the lines of the learned counsel representing the BBMP.

17. On a cumulative analysis of the pleadings and the submissions made, the impugned imposts/fee that are called in question in the cluster of these petitions are as follows:

- (1) **Ground rent**
- (2) **License fee**

- (3) **Scrutiny fee**
- (4) **Security deposit.**
- (5) **Lake rejuvenation fee**
- (6) **Service charges at 1% of the amount payable to Palike from out of Building Construction Workers Welfare Cess - labour cess.**

18. I have given my thoughtful consideration to the rival submissions made by the respective counsel appearing for the parties and in furtherance whereof, the following issue would arise for my consideration:

“Whether the impugned imposts/fee (supra) suffer from want of legal sanction?”

POSITION IN LAW:

19. Before embarking upon the journey of consideration of the impugned imposts, I deem it appropriate to consider the position in law with regard to imposition of such imposts or a fee.

20. Article 265 of the Constitution is the source of power for the Union and the States to impose taxes in

accordance with law. Article 265 of the Constitution of India reads as follows:

“265. Taxes not to be imposed save by authority of law.- No tax shall be levied or collected except by authority of law.”

Therefore, an impost can be made only in accordance with or and as authorized by law.

21. Tax or a fee has been a subject matter of interpretation by the Apex Court in several judgments considering several facets of such imposts. A few that are germane, out of the lot that are quoted, for consideration in the *lis* are as follows:

(i) Commissioner, Hindu Religious Endowments v. Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt⁶

“45. A neat definition of what “tax” means has been given by Latham, C.J. of the High Court of Australia in Matthews v. Chicory Marketing Board [60

⁶ 1954 SCR 1005: AIR 1954 SC 282

CLR 263, 276] . “A tax”, according to the learned Chief Justice, “is a compulsory exaction of money by public authority for public purposes enforceable by law and is not payment for services rendered”. This definition brings out, in our opinion, the essential characteristics of a tax as distinguished from other forms of imposition which, in a general sense, are included within it. It is said that the essence of taxation is compulsion, that is to say, it is imposed under statutory power without the taxpayer's consent and the payment is enforced by law [Vide *Lower Mainland Dairy v. Crystal Dairy Ltd.*, 1933 AC 168] . The second characteristic of tax is that it is an imposition made for public purpose without reference to any special benefit to be conferred on the payer of the tax. This is expressed by saying that the levy of tax is for the purposes of general revenue, which when collected forms part of the public revenues of the State. As the object of a tax is not to confer any special benefit upon any particular individual, there is, as it is said, no element of *quid pro quo* between

the taxpayer and the public authority [See Findlay Shirras on Science of Public Finance, Vol. I, p. 203] . Another feature of the taxation is that as it is a part of the common burden, the quantum of imposition upon the taxpayer depends generally upon his capacity to pay.

46. Coming now to fees, a “fee” is generally defined to be a charge for a special service rendered to individuals by some governmental agency. The amount of fee levied is supposed to be based on the expenses incurred by the Government in rendering the service, though in many cases the costs are arbitrarily assessed. Ordinarily, the fees are uniform and no account is taken of the varying abilities of different recipients to pay [Vide Lutz on Public Finance, p. 215] . These are undoubtedly some of the general characteristics, but as there may be various kinds of fees, it is not possible to formulate a definition that would be applicable to all cases.

47. As regards the distinction between a tax and a fee, it is argued in the first place on behalf of the respondent that a fee is something voluntary which a person has got to pay if he wants certain services from the Government; but there is no obligation on his part to seek such services and if he does not want the services, he can avoid the obligation. The example given is of a licence fee. If a man wants a licence that is entirely his own choice and then only he has to pay the fees, but not otherwise. We think that a careful examination will reveal that the element of compulsion or coerciveness is present in all kinds of imposition, though in different degrees and that it is not totally absent in fees. This, therefore, cannot be made the sole or even a material criterion for distinguishing a tax from fees. It is difficult, we think, to conceive of a tax except, it be something like a poll tax, the incidence of which falls on all persons within a State. The house tax has to be paid only by those who own houses, the

land tax by those who possess lands, municipal taxes or rates will fall on those who have properties within a municipality. Persons, who do not have houses, lands or properties within municipalities, would not have to pay these taxes, but nevertheless these impositions come within the category of taxes and nobody can say that it is the choice of these people to own lands or houses or specified kinds of properties, so that there is no compulsion on them to pay taxes at all. Compulsion lies in the fact that payment is enforceable by law against a man in spite of his unwillingness or want of consent; and this element is present in taxes as well as in fees. Of course, in some cases whether a man would come within the category of a service receiver may be a matter of his choice, but that by itself would not constitute a major test which can be taken as the criterion of this species of imposition. The distinction between a tax and a fee lies primarily in the fact that a tax is levied as a part of a common burden, while a fee is a payment for a special benefit or privilege. Fees confer a special capacity,

although the special advantage, as for example in the case of registration fees for documents or marriage licences, is secondary to the primary motive of regulation in the public interest [Vide Findlay Shirras on Science of Public Finance, Vol. I, p. 202] . Public interest seems to be at the basis of all impositions, but in a fee it is some special benefit which the individual receives. As Seligman says, it is the special benefit accruing to the individual which is the reason for payment in the case of fees; in the case of a tax, the particular advantage if it exists at all is an incidental result of State action [Vide Seligman's Essays on Taxation,p.408] .”

(Emphasis applied)

The Apex Court has clearly indicated what are the characteristics of a fee distinguishing it from what could be tax. What is held by the Apex Court is that a fee is generally a charge for special service rendered to individuals by Governmental agencies, which is to be uniform, without reference to the capacity of the payer.

(ii) Corporation of Calcutta v. Liberty Cinema⁷

“20. The conclusion to which we then arrive is that the levy under Section 548 is not a fee as the Act does not provide for any services of special kind being rendered resulting in benefits to the person on whom it is imposed. The work of inspection done by the Corporation which is only to see that the terms of the licence are observed by the licensee is not a service to him. No question here arises of correlating the amount of the levy to the costs of any service. The levy is a tax. It is not disputed, it may be stated, that if the levy is not a fee, it must be a tax.”

The Apex Court in the afore-extracted judgment holds that unless any service of a special kind is rendered resulting in benefits to the person on whom it is imposed, the levy would not be a fee, but a tax.

⁷ AIR 1965 SC 1107

(iii) Nagar Mahapalika v. Durga Das Bhattacharya⁸

“10. We pass on to consider the next question raised in this appeal, namely, whether there was a quid pro quo for the licence fees realised by the appellant and whether the impost was a fee in the strict sense as contemplated by Section 294 of the Act. A finding has been recorded in the present case by the trial court that a sum of Rs 1,43,741/7/0 was spent by the Municipal Board for providing facilities and amenities to owners and drivers of rickshaws. This sum of Rs 1,43,741/7/0 is made up of the following items:

“Rs 68,000 spent over the paving of bye-lanes, in these the only conveyance that can operate is a rickshaw.

Rs 20,000 spent as expenses for lighting of streets and lanes.

⁸ (1968) 3 SCR 374

Rs 47,741/7/0 spent in making provision for parking grounds.

Rs 8000 spent on payment of salary to the staff maintained for issuing licences and inspecting rickshaws”.

The High Court was of the opinion that the amount of Rs 68,000 spent for paving of bye-lanes and Rs 20,000 for lighting of streets and lanes cannot be considered to have been spent in rendering services to the rickshaw owners and rickshaw drivers. The reason was that under Section 7(a) of the Act it was the statutory duty of the Municipal Board to light public streets and places and under clause (h) of the same section to construct and maintain public streets, culverts etc. The expenditure under these two items was incurred by the Municipal Board in the discharge of its statutory duty and it is manifest that the licence fee cannot be imposed for reimbursing the cost of ordinary municipal services which the Municipal Board was bound under the statute to provide to the general public (See the decision of the Madras High Court in India Sugar and Refineries

*Ltd. v. Municipal Council Hospet) [ILR (1943) Mad 521] . If these two items are excluded from consideration the balance of expenditure incurred by the Municipal Board for the benefit of the licensees is Rs 55,741/7/0. In other words, the expenditure constituted about 44% of the total income of the Municipal Board from the licensees. **In our opinion, there is no sufficient quid pro quo established in the circumstances of this case and the High Court was therefore right in holding that the imposition of the licence fees at the rate of Rs 30 on each rickshaw owner and Rs 5 on each rickshaw driver was ultra vires and illegal.***

(Emphasis applied)

The Apex Court in the aforesaid case holds that if there is no sufficient quid pro quo established, imposition of fees would become illegal.

(iv) Delhi Race Club Vs. Union of India⁹

“35. In the light of the tests laid down in Hingir-Rampur [AIR 1961 SC 459 : (1961) 2 SCR 537] and followed in Kesoram Industries [(2004) 10 SCC 201], it is manifest that the true test to determine the character of a levy, delineating “tax” from “fee”, is the primary object of the levy and the essential purpose intended to be achieved. In the instant case, it is plain from the scheme of the Act that its sole aim is regulation, control and management of horse racing. Such a regulation is necessary in public interest to control the act of betting and wagering as well as to promote the sport in the Indian context. To achieve this purpose, licences are issued subject to compliance with the conditions laid down therein, which inter alia include maintenance of accounts and furnishing of periodical returns; amount of stakes which may be allotted for different kinds of horses; the measures to be taken for the training of the persons to become jockeys,

⁹ (2012) 8 SCC 680

to encourage Indian-bred horses and Indian jockeys; the inclusion and association of such persons as the Government may nominate as stewards or members in the conduct and management of the horse racing. The violation of the conditions of the licence or the Act is penalised under the Act besides a provision for cognizance by a court not inferior to a Metropolitan Magistrate. To ensure compliance with these conditions, the 1985 Rules empower the District Officer or an Entertainment Tax Officer to conduct inspection of the race club at reasonable times. Thus, the nature of the impost is not merely compulsory exaction of money to augment the revenue of the State but its true object is to regulate, control, manage and encourage the sport of horse racing as is distinctly spelled out in the Act and the 1985 Rules. **For the purpose of enforcement, wide powers are conferred on various authorities to enable them to supervise, regulate and monitor the activities relating to the racecourse with a view to secure proper enforcement of the**

provisions. Therefore, by applying the principles laid down in the aforesaid decisions, it is clear that the said levy is a “fee” and not a “tax”.

(Emphasis applied)

The Apex Court in the afore-said case has again elaborated as to what is a tax and a fee. By considering the services rendered by the Race Club, the Apex Court holds it to be a fee and not a tax.

(v) Jindal Stainless Ltd. v. State of Haryana¹⁰,

“67.2. Secondly, because the concept of compensatory tax obliterates the distinction between a tax and a fee. The essential difference between a tax and a fee is that while a tax has no element of quid pro quo, a fee without that element cannot be validly levied. The difference between a tax and the fee has been examined and elaborated in a long line of decisions of this Court. (See Commr.,

¹⁰ (2017) 12 SCC 1

Hindu Religious Endowments v. Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt [Commr., Hindu Religious Endowments v. Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt, AIR 1954 SC 282 : 1954 SCR 1005] , *Jagannath Ramanuj Das v. State of Orissa* [Jagannath Ramanuj Das v. State of Orissa, AIR 1954 SC 400] , *Hingir-Rampur Coal Co. Ltd. v. State of Orissa* [Hingir-Rampur Coal Co. Ltd. v. State of Orissa, AIR 1961 SC 459] , *Corpn. of Calcutta v. Liberty Cinema* [Corpn. of Calcutta v. Liberty Cinema, AIR 1965 SC 1107] , *Kewal Krishan Puri v. State of Punjab* [Kewal Krishan Puri v. State of Punjab, (1980) 1 SCC 416] , *Krishi Upaj Mandi Samiti v. Orient Paper and Industries Ltd.* [Krishi Upaj Mandi Samiti v. Orient Paper and Industries Ltd., (1995) 1 SCC 655] , *State of Gujarat v. Akhil Gujarat Pravasi V.S. Mahamandal* [State of Gujarat v. Akhil Gujarat Pravasi V.S. Mahamandal, (2004) 5 SCC 155] and *State of W.B. v. Kesoram Industries Ltd.* [State of W.B. v. Kesoram

Industries Ltd., (2004) 10 SCC 201 : AIR 2005 SC 1646])”.

(Emphasis applied)

A Nine Judge Bench of the Apex Court in the aforesaid case at the outset while considering the difference between a tax and a fee holds that element of *quid pro quo* is essential for an impost to be considered a fee.

POWER TO DEMAND FEES:

(vi) Ahmedabad Urban Development Authority v. Sharadkumar Jayantikumar Pasawalla¹¹,

“7. After giving our anxious consideration to the contentions raised by Mr Goswami, it appears to us that in a fiscal matter it will not be proper to hold that even in the absence of express provision, a delegated authority can impose tax or fee. In our view, such power of imposition of tax and/or fee by delegated authority must be very specific and there is no scope of implied authority for imposition

¹¹ (1992) 3 SCC 285

of such tax or fee. It appears to us that the delegated authority must act strictly within the parameters of the authority delegated to it under the Act and it will not be proper to bring the theory of implied intent or the concept of incidental and ancillary power in the matter of exercise of fiscal power. The facts and circumstances in the case of District Council of Jowai are entirely different. The exercise of powers by the Autonomous Jaintia Hills Districts are controlled by the constitutional provisions and in the special facts of the case, this Court has indicated that the realisation of just fee for a specific purpose by the autonomous District was justified and such power was implied. The said decision cannot be made applicable in the facts of this case or the same should not be held to have laid down any legal proposition that in matters of imposition of tax or fees, the question of necessary intendment may be looked into when there is no express provision for imposition of fee or tax. The other decision in Khargram Panchayat Samiti

case [(1987) 3 SCC 82] also deals with the exercise of incidental and consequential power in the field of administrative law and the same does not deal with the power of imposing tax and fee.”

8. The High Court has referred to the decisions of this Court in *Hingir* case [AIR 1961 SC 459 : (1961) 2 SCR 537] and *Jagannath Ramanuj* case [AIR 1954 SC 400 : 1954 SCR 1046] and *Delhi Municipal Corporation* case [(1983) 3 SCC 229 : 1983 SCC (Tax) 154 : AIR 1983 SC 617] . **It has been consistently held by this Court that whenever there is compulsory exaction of any money, there should be specific provision for the same and there is no room for intendment. Nothing is to be read and nothing is to be implied and one should look fairly to the language used.** We are, therefore, unable to accept the contention of Mr Goswami. Accordingly, there is no occasion to interfere with the impugned decision of the High Court. The appeal,

therefore, fails and is dismissed with no order as to costs.

(Emphasis applied)

The Apex Court in the afore-said judgment has considered manifold circumstances which would distinguish a tax from a fee and has also held that there can be no implied power in fiscal matters. The power to impose must be specific and such imposition must be within the parameters of the authority to impose. There cannot be incidental or ancillary power in the matter of exercise of fiscal power.

(vii) Calcutta Municipal Corporation v. Shrey Mercantile (P) Ltd.,¹²

*“The short question which arises for determination in these civil appeals by grant of special leave by the Calcutta Municipal **whether the imposition for the process of change in the name of the owner in the***

¹² (2005) 4 SCC 245

assessment books of the Corporation is in the nature of “a fee” or “tax”.

17. *These well-settled principles have been reiterated by this Court in the case of CCE v. Chhata Sugar Co. Ltd. [(2004) 3 SCC 466] in which it has been held: (SCC pp. 483-86, paras 18-30)*

“18. The Constitution of India postulates either a tax or a fee. However, the use of the expression ‘tax’ or ‘fee’ in a statute is not decisive; as on a proper construction thereof and having regard to its scope and purport, ‘fee’ may also be held to be a tax.

xx xx xx xx xx

25. *In Liberty Cinema [(1965) 2 SCR 477 : AIR 1965 SC 1107] this Court, while interpreting Section 548 of the Calcutta Municipal Act providing for grant of a licence, observed: (AIR p. 1116, para 18)*

‘The reference to the heading of Part V can at most indicate that the provisions in it were for conferring benefit on the public at large. The cinema house owners paying the levy would not as such owners be getting that benefit. We are not concerned with the benefit, if any, received by them as members of the public for that is not special benefit meant for them. We are clear in our mind that if looking at the terms of the provision authorising the levy, it appears that it is not for special services rendered to the person on whom the levy is imposed, it cannot be a fee wherever it may be placed in the statute. A consideration of where Sections 443 and 548 are placed in the Act is irrelevant for determining whether the levy imposed by them is a fee or a tax.’

It was further observed: (AIR p.1116, paras 19- 20)

19. xx xx xx xx

20. The conclusion to which we then arrive is that the levy under Section 548 is not a fee as the Act does not provide for any services of special kind being rendered resulting in benefits to the person on whom it is imposed. The work of inspection done by the Corporation which is only to see that the terms of the licence are observed by the licensee is not a service to him. **No question here arises of correlating the amount of the levy to the costs of any service. The levy is a tax. It is not disputed, it may be stated, that if the levy is not a fee, it must be a tax.**'

xx xx xx xx xx

26. A regulatory statute may also contain taxing provisions.

27. The decisions of this Court point out towards the need of existence of the element of quid pro quo for imposition of fee; be it to the

person concerned or be it to a group to which he belongs; irrespective of the fact as to whether the benefit of such service is received directly or indirectly.

28. The point at issue is required to be considered keeping in view the aforementioned legal position.

29. By reason of the provisions of the U.P. Sheera Niyam Adhiniyam, 1964, the trade carried out by the respondents is sought to be regulated.

30. Some service, therefore, was required to be rendered by the State or the statutory authority to the owners of the factory producing molasses or the molasses industries generally if an impost by way of 'fee' was to be levied."

18. Applying the above principles to the present case, we find enumeration of obligatory and discretionary functions of the

Corporation in Sections 29 and 30 under which civic services are rendered to the ratepayers for which taxes are leviable as mentioned in Section 170 of the Act. As stated above, the entire Part IV of the Act deals not only with the levy of taxes, it also deals with assessments, valuation, collection and recovery of taxes. The entire machinery for filing of returns, objections and inspection of records and properties comes under the part which deals with taxation. The maintenance of assessment books, annual reports, valuation reports, etc. all come under the part which deals with taxation. Section 183 which deals with notice of transfer also comes under the same part. It is true that under Section 183(5), fees are payable for mutation as may be prescribed under the regulations, still as stated above, the primary object of such a charge is to augment the revenue and the levy of such a charge cannot be treated to be a part of the regulatory measure. Further, under the Regulations, the Corporation while prescribing fees has levied fees on ad valorem basis which is one more

circumstance to show that the impugned levy is in the nature of tax and not in the nature of a fee. Further, the quantum of levy indicates that it is a tax and not a fee. The analysis of the various provisions of the Act and the impugned Regulations shows that the impugned levy is in exercise of power of taxation under the said Act to augment the revenues primarily and not as a part of regulatory measure. As stated above, the purpose of mutation is to register the transfer in the records of the Corporation which in turn would help the Corporation to recover taxes from the existing taxpayers. Therefore, no special benefit results to the transferee who is made statutorily liable to inform the Corporation of the change, if any, in the name of the person primarily liable to pay the tax.

21. Now coming to the question of challenge to the levy as arbitrary and discriminatory and violative of Article 14, we find that the functions of the Corporation with regard to mutation remain the same, whether the applicant

is a transferee under a conveyance or a lessee or a beneficiary under a Will or an heir in the case of intestate succession. Once an application for mutation is made, the same is examined by the department and after hearing the objections, if any, the record is ordered to be changed. Ultimately, the exercise is for fiscal purpose. Similarly, the property valuation may be below Rs 50,000 or above Rs 2 lakhs, the function of the Corporation in making the mutation entry remains the same. Similarly, whatever may be the cause of mutation, whether it is a case of transfer or devolution, the activity of mutation remains constant in all the cases. The expenses incurred in all the cases also cannot vary, whatever be the value of the property or the cause of mutation. In the circumstances, there is no reason given for charging different rates depending on the value of the property and the cause of transfer. By doing so, the incidence of the levy falls differently on persons

similarly situated resulting in violation of Article 14 of the Constitution. Moreover, the quantum of fees is disproportionate to the so-called “services” which is one more circumstance showing arbitrariness in the levy of such imposition. So far as Article 14 is concerned, the courts in India have always examined whether the classification was based on intelligible differentia and whether the differentia had a reasonable nexus with the object of legislation. (See Om Kumar v. Union of India [(2001) 2 SCC 386] .)

22. Applying the said tests to the impugned levy, we find that the levy is irrational, arbitrary, discriminatory and beyond Section 183(5) of the said 1980 Act.

(Emphasis applied)

The Apex Court here again elaborately considers the distinction between a fee and a tax and holds that fee can be charged only for services that are rendered.

22. On an analysis of the afore-extracted judgments of the Apex Court, it would become unmistakably clear that certain services that are rendered to the benefit of the individual upon whom the fee is charged such a fee can be charged, failing which, it would take the character of tax. ***“Even a rupee cannot be taken from a citizen as fee except in accordance with law.”*** It is on the bedrock of the principles enunciated by the Apex Court, the impugned imposts/fee are required to be considered. Therefore, each of the impugned levy is considered separately.

THE KARNATAKA MUNICIPAL CORPORATIONS ACT, 1976¹³:

23. The BBMP has now imposed the impugned demands contending that they are empowered to do so under the Act and the bye-laws. Therefore, it is

¹³ ‘Act’ for short

germane to notice the existence of power under the Act and the validity of the bye-laws to demand the impugned fees.

23.1. The provision that empowers imposition of the aforesaid fee by the BBMP is under the Act and the Bye-laws. Section 103 of the Act reads as follows:-

“103. Taxes which may be imposed.-

Subject to the general or special orders of Government, a Corporation shall,-

- (a) *Omitted.*
- (b) *at rates not exceeding those specified in this Act, levy any one or more of the following taxes:-*
 - (i) *a tax on buildings or vacant lands or both situated within the city (hereinafter referred to as the property tax),*
 - ...
 - (vii) *a duty on certain transfers of property in the shape of an additional stamp duty”.*

23.2. The Act empowers the Corporation to impose tax on buildings or vacant lands or both situated within the city. Section 295 of the Act reads as under:

*“295. **Building bye-laws.**- (1) With the approval of the Government the corporation may make bye-laws,-*

(a) for the regulation or restriction of the use of sites or buildings, and

(b) for the regulation or restriction of building.

(2) Without prejudice to the generality of the power conferred by clause (b) of sub-section (1), bye-laws made under that clause may provide,-

(a) that no insanitary or dangerous site shall be used for building, and

(c) for the regulation or restriction of the construction of buildings intended for public worship on sites.

(3) Without prejudice to the generality of the power conferred by clause (a) of sub-

section (1), bye-laws made under that clause may provide for the following matters:-

- (a) information and plans to be submitted together with applications for permission to build;*
- (b) height of buildings, whether absolute or relative to the width of streets;*
- (c) level and width of foundation, level of lowest floor and stability of structure;*
- (d) number and height of storeys composing a building and height of rooms;*
- (e) provision of sufficient open space, external or internal, and adequate means of ventilation;*
- (f) provision of means of egress in case of fire;*
- (g) provision of secondary means of access for the removal of house refuse;*

- (h) materials and methods of construction of external and parting walls, roofs, and floors;
- (i) position, materials and methods of construction of hearths, smoke escapes, chimneys, staircases, privies, drains, cesspools;
- (j) paving of yards;
- (k) restrictions on the use of inflammable materials in buildings;
- (l) in the case of wells, dimensions of the well, the manner of enclosing it and if the well is intended for drinking purposes, the means which shall be used to prevent pollution of water.

(4) Every bye-law made under subsection (1) relating to grant of licence for the construction or reconstruction of a building shall provide that planting of trees and plants in the premises shall be a condition of every licence granted for the construction or reconstruction of any such building.

(5) No piece of land shall be used as a site for the construction of a building, and no building shall be constructed or reconstructed otherwise than in accordance with the provisions of this Act and of any rules or bye-laws made thereunder relating to the use of building sites or the construction or reconstruction of buildings.”

23.3. This section empowers the Corporation to make bye-laws with the approval of Government. Bye-laws can be made on various subjects that are enumerated in the said section. Section 310 deals with ‘completion certificate and permission to occupy or use’ a particular building and reads as follows:-

“310. Completion certificate and permission to occupy or use.- (1) *Every person shall, within one month after the completion of the erection of a building or the execution of any such work, deliver or send or cause to be delivered or sent to the Commissioner at his office notice in writing of such completion, accompanied by a certificate*

in the form prescribed in the bye-laws signed and subscribed in the manner prescribed and shall give to the Commissioner all necessary facilities for the inspection of such buildings or of such work and shall apply for permission to occupy the building.

(1A) Notwithstanding anything contained in sub-section (1), where permission is granted to any person for erection of a building having more than one floor, such person shall, within one month after completion of execution of any of the floors of such building, deliver or send or cause to be delivered or sent to the Commissioner at his office, a notice in writing of such completion accompanied by a certificate in the form prescribed in the byelaws, signed and subscribed in the manner prescribed and shall give to the Commissioner all necessary facilities for inspection of such floor of the building and may apply for permission to occupy such floor of the building.

(2) No person shall occupy or permit to be occupied any such building or part of the

building or use or permit to be used the building or part thereof affected by any work, until,-

- (a) permission has been received from the Commissioner in this behalf; or*
- (b) the Commissioner has failed for thirty days after receipt of the notice of completion to intimate his refusal of the said permission.”*

23.4. For grant of completion certificate or occupancy certificate, compliance with payment of fee imposed under the bye-laws is mandatory. Section 423 of the Act deals with ‘power to make bye-laws’ and reads as follows:-

*“423. **Power to make bye-laws.-**
Subject to the provisions of this Act, the rules and regulations, the Corporation may make bye-laws,-*

- (1) for all matters expressly required or allowed by this Act to be provided for by byelaws;***

...

(20) (a) for the regulation of burial and burning and other places for the disposal of corpses;

(b) for the levy of fees for the use of such burial and burning grounds and crematoria as are maintained by the Corporation;

(c) for the verification of deaths and the cause of death;

(d) for the period for which corpses must be kept for the inspection;

(e) for the period within which corpses must be conveyed to a burial or burning ground, and the mode of conveyance of corpses through public places.

(Emphasis applied)

The levy of fee under the Act can only be on matters allowed by the Act. What is permitted under the Act is

found only in sub-section 20(b) of Section 423 (*Supra*), which empowers collection or levy of fee for use of such burial, burning grounds and crematoria that are maintained by the Corporation. In no other section of the Act the Corporation is empowered to levy fee. Section 443 of the Act deals with 'General provisions regarding licences, registrations and permissions'. Here again there is no provision to charge fee.

THE BANGALORE MAHANAGARA PALIKE BUILDING BYE- LAWS, 2003:

24. The fee that is charged by the Corporation is claimed to be in terms of the bye-laws. The present bye-law that is obtaining in the Corporation is the one that is notified in the year 2003. Objects and reasons of Bye-laws read as follows:-

“Now, therefore, in exercise of the powers conferred by Section 295 read with Section 423 of the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977), the Bangalore Mahanagara Palike

hereby makes the following bye-laws in supersession of Bangalore City Corporation Building Bye-laws, 1983 and the same is hereby published as required by clause (a) of Section 426 of the said Act, for the public inspection.”

The bye-laws are made in terms of the powers conferred upon the Corporation under the Act in terms of Section 295 read with Section 423 of the Act. This bye-law is made in supersession of the earlier bye-law of the year 1983. It is at this juncture I deem it appropriate to consider every levy/fee that is imposed by the Corporation *qua* the corresponding power under the Act, the Rules and the Bye-laws.

GROUND RENT:

25. Bye-law Nos.3.8 to 3.13 deal with ground rent and read as follows:-

*“3.8 **Ground rent.**- The ground rent for stocking of building materials on public land*

as prescribed by the Authority without causing obstruction to movement of vehicles and pedestrians subject to the permission of the Authority.

Note.- (i) *The ground rent charges shall be based on the total floor area of all the floors in the buildings. The ground rent is valid for a period of two years only. If the building is not completed and the occupancy certificate is not obtained within the period of two years, further rent is to be paid at half the rate per annum or part thereof till the building is completed.*

(ii) *The ground rent applies only for the storing of building materials and not for any other purpose.*

(iii) *If the public land is utilised for storing of excavated materials and debris, separate charges will have to be paid at four times the rate fixed as ground rent.*

3.9 Ground rent for high rise buildings.- High rise buildings are not exempted from payment of ground rent irrespective of the setbacks and coverage.

3.10 Exemptions for ground rent.- Ground rent may be exempted in the following cases, namely.-

- (1) individual residential bungalows with front set back of 6 metres and more with coverage of not more than 55 percent.
- (2) schools, colleges and other institutions with a front set back of 8 meters and more with coverage of not more than 33.33 per cent.
- (3) religious and cultural buildings with a front set back of 8 meters and more with coverage of not more than 45 per cent.
- (4) heavy industries and Government buildings with large extents of

land capable of storing the building materials within the periphery of the property.

Note.- *Exemption shall be granted only on production of undertaking from the applicant on a stamped paper of Rs. 30 that the Corporation land, footpath and road will not be used for stocking building materials as well as depositing debris and in case of violation of this condition, they shall be liable to pay the ground rent at the normal rates in addition to the penalty of 50 % of the amount specified which will be recovered as arrears of tax on land and buildings, etc.*

3.13 Revision of licence fee and ground rent.- *The Licence fee and ground rent are subject to revision from time to time by the Commissioner without notice.”*

25.1. Ground rent is to be imposed for stocking of building materials on public land as prescribed by the authority without causing obstruction to the movement of vehicles and pedestrians subject to prior permission

of the authority. Bye-law 3.9 deals with imposition of ground rent for high rise buildings. Bye-law 3.10 exempts certain buildings for imposition of ground rent i.e., individual residential bungalows with front setback for 6 meters; schools, colleges and other institutions with setback of 8 meters; religious and cultural buildings with front set back of 8 meters; and heavy industries and Government buildings with large extents of land for storing building materials. Bye-law 3.13 deals with revision of licence fee and ground rent.

25.2. Ground rent was so demanded is being demanded apart from it having no backing in the statute with blatant non-application of mind as the petitioners in most of the petitions who have their own space in the construction area to store or stock materials for construction would not be using public road or according to the BBMP, the roads maintained by the BBMP. Those who are stocking construction

materials in their own land, without using public property/road/pavement are also made to pay ground rent as it is made a condition precedent for either licence, occupancy certificate or a plan sanction. Therefore, an individual house owner using the road for storing construction materials and the owner of multi-storied buildings/apartments storing building materials in their own land for construction cannot be treated alike for the purpose of demand of ground rent. There cannot be a better example of non-application of mind in raising the demand under the impugned levies.

25.3. Payment of ground rent was accepted and paid by citizens hitherto. What became agonizing was the circular dated 04.09.2015 whereby a revised ground rent was demanded by linking to the guidance value. It is at this juncture writ petitions galore challenging the action of the BBMP in demanding ground rent linking it to guidance value, all on the strength of a circular dated

04.09.2015 again without being backed by any statute and contrary to the legal spirit of demand of a fee being “*quid pro quo*”.

LICENCE FEE:

26. The next component of challenge is imposition of licence fee. Bye-law Nos.3.1 to 3.7.3 deal with imposition of licence fee. Bye-law No.3.1 deals with licence to be obtained from the Corporation by those who intend to erect or re-erect a building or make material alteration, by submission of application as specified under Sections 299, 304 and 312 of the Act. For grant of a licence there are various conditions to be fulfilled as obtaining under bye-law No.3.2.10 which reads as follows:

3.2.10. Other certificates.–

Certificates from the following authorities, wherever applicable.

Agency	In respect of
3.2.(10.1) B.D.A.	<p>(a) Commencement certificate for the change of land use in the Development Plan of Bangalore as per sections 14 & 15 of the Karnataka Town and Country Planning Act, 1961.</p> <p>(b) Bifurcation or amalgamation of plot as per Section 17 of KTCP Act 1961.</p> <p>(c) Approval in case of buildings permissible under special circumstances as per Schedule I.</p> <p>(d) Approval of layout plan in case of Group Housing Schemes where total area of group housing exceeds 4,000 sq. mtrs.</p> <p>(e) In case of civic amenity site, leased out by the Bangalore Development Authority, commencement certificate under sections 14 and 15 of the Karnataka Town and Country Planning Act, 1961 for construction of the building.</p>
3.2 (10.2) B.W.S.S.B	N.O.C. in case of high rise

- 3.2 (10.3) BESCO building or group housing
N.O.C. in case of high rise building or group housing.
- 3.2 (10.4) Fire Services Dept. N.O.C. in case of high rise building. (Bye-law 2.45 definition)
- 3.2(10.5) Airport Authority of India N.O.C. in case of high rise building.
- 3.2(10.6) Telecommuni- cation Dept. N.O.C in case of high rise building above 7 floors.
- 3.2(10.7) Kar.Slum Clearance & Imp.Board N.O.C. with regard to non-interference with improvement schemes, in respect of areas notified under Section 3 of the Karnataka Slum Areas (Improvement & Clearance) Act, 1973.
- 3.2(10.8) District Magistrate N.O.C. in case of permanent and/or semi permanent cinema theatres including drive-in-theaters, and petrol pumps.
- 3.2(10.9) Director of Fac. & Boilers N.O.C. in case of industrial buildings
- 3.2(10.10) Controller of Explosives N.O.C. in case of buildings proposed for storage or sale of combustible articles.
- 3.2(10.11) Railways N.O.C. in case of buildings abutting railway margin.”

BUILDING LICENCE FEE:

27. Bye-law 3.7 deals with imposition of building licence fee and reads as follows:-

“3.7. Building licence fee - 3.7.1
Every person intending to construct or reconstruct or alter any building under sections 299, 304 and 312 of the Act shall pay to the Corporation fund, the building licence fee as prescribed by the Authority subject to a minimum of Rs. 300/- (Rupees three hundred only).

Provided that no licence fee shall be payable by the Central and the State Governments for the construction of buildings by them on their lands.

Note.- *The fixation of licence fee shall be governed by the following:*

- (a) *For re-erection of existing buildings, the fees chargeable shall be the same as for the erection of new buildings.*

(b) For additions and alterations in the existing buildings the fees shall be chargeable on the added portions only at the same rate applicable to the new building.

3.7.2. Part of the building licence fee which shall not be less than 5% of the licence fee and subject to a minimum of Rs. 50/- (Rupees fifty) only shall be paid together with the application for building licence, as scrutiny fee, which is not refundable. The balance amount of licence fee shall be paid on receipt of demand notice from the Authority.

3.7.3 Licence fee for compound wall at Rs. one only per running meter shall be paid on receipt of demand notice. “

In terms of bye-law No.3.7 every person intending to construct or re-construct or alter any building under Sections 299, 304 and 312 shall pay building licence fee, minimum of which is prescribed as Rs.300/- exempting State Government related construction

buildings. Bye-law Nos. 3.7.2 and 3.7.3 also deal with imposition of licence fee which is non-refundable. Therefore, the levy of licence fee in the manner that is done is again a fee which pre-supposes to be a charge for a service that is rendered and an element of quid pro quo steps in. For imposition of licence fee again in the manner that is sought by the Corporation also lacks sanction of law. The same goes with scrutiny fee. Scrutiny fee is demanded by the Corporation for scrutinizing the documents submitted for issuance of plan and completion certificate or occupancy certificate. It is submitted on line and permissions taken from all other authorities for issuance of occupancy certificate form part of scrutiny fee.

28. The defence of BBMP is that they have set up computers and several people are working on the job for grant of occupancy certificates after scrutinizing the documents, and therefore, levy on scrutiny fee is valid.

This submission is unacceptable as any fee must have a sanction in law. As noticed hereinabove, the ground rent, licence fee and the scrutiny fee are all *de hors* the power under the Act.

29. The afore-narrated bye-laws are the ones that the BBMP claims to empower them to levy fee for ground rent, licence, building licence, scrutiny and demand of security deposit. Framing of building bye-laws is dealt with under Sections 295 and 423. Nowhere the said sections empower framing of bye-laws empowering imposition of any fee by the Corporation. As stated hereinabove, the only place the word 'fee' is found in the subjects enumerated in Section 423 which deal with the power to make bye-laws is in case of burial and burning ground or a crematoria that is maintained by the Corporation.

30. Therefore, there is no power under Act to impose the impugned levies i.e., ground rent, licence fee, building licence fee, scrutiny fee and security deposit. It is trite that fee can be imposed only if there is *quid pro quo*. *Quid pro quo* in legal parlance is that 'fee' that can be imposed for a service that is rendered. The principle of *quid pro quo* or a fee chargeable for a service rendered as considered by the Apex Court (*supra*), wherein the Apex Court has held that there should be reasonable co-relation for imposition/collection of a fee, apart from the fact that it should be with authority of law.

JUDICIAL INTERPRETATION OF **FEE**:

31. Levy of fee in its exclusiveness has also been a subject matter of judicial interpretation. The Division Bench of the High Court of Calcutta considering **drainage development fees** imposed by Calcutta

Municipal Corporation and others held in **ASIAN LEATHER LIMITED AND OTHERS v. KOLKATA MUNICIPAL CORPORATION AND OTHERS**¹⁴ as follows:-

“12. At this juncture, it will be profitable to refer to the well-known proposition of law that a natural person has the capacity to do all lawful things unless his capacity has been curtailed by some rule of law. It is equally a fundamental principle that in case of a statutory corporation, it is just the other way. The Corporation has no power to do anything unless those powers are conferred on it by the statutes, which creates it. See: Manimuddin Bepari v. Chairman of the Municipal Commissioner, Dacca reported in MANU/WB/0316/1935: 40 CWN 17.

... ..

14. Bearing in mind the aforesaid principles and after going through the various provisions of the Act, the Rules and the Regulations framed thereunder, referred to by Mr. Mitra, the learned

¹⁴ (2007) SCC OnLine Cal 268

senior Advocate appearing on behalf of the appellant, we do not find that either in the Act or the Rules or the Regulations framed thereunder, any right or authority has been to the Corporation to realize drainage development fees from the owners of the land or the building at the time of sanction of the building plan as condition precedent for grant of permission to raise building.

... ..

23. We have already indicated that unless specifically authorized by the statute, a Corporation cannot realize any amount from the citizen and so far, the delegated legislation is concerned, nothing can be implied for the justification of realization of any amount either as tax or as fees, which is not specifically authorized.

(Emphasis applied)

32. A Division Bench of High Court of Gujarat again considering imposition of **permission fee** on installation of mobile communication towers by the

Gujarat Urban Development and Urban Housing Department holds in **INDUS TOWERS LIMITED v. STATE OF GUJARAT AND OTHERS**¹⁵ as follows:-

“24. In this regard it may be germane to refer to the provisions of Articles 265 and 243-X of the Constitution which reads thus:

265. Taxes not to be imposed save by authority of law. “No tax shall be levied or collected except by authority of law.”

(a) authorize a Municipality to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such limits;

(b) assign to a Municipality such taxes, duties tolls and fees levied and collected by the State Government for such purposes and subject to such conditions and limits;

¹⁵ (2010) SCC OnLine Guj 3777

(c) provide the making such grants-in-aid to the Municipalities from the Consolidated Fund of the State; and

(c) provide for constitution of such Funds for crediting all moneys received, respectively, by or on behalf of the Municipalities and also for the withdrawal of such moneys there from, as may be specified in the law.

... ..

27. Apart from Article 265 which prohibits levy or recovery of tax except by authority of law, Article 243-X specifically provides that the Legislature of a State may, by law authorize a Municipality to levy, collect and appropriate such taxes, duties, tolls and fees in accordance such procedure and subject to such limits as may be specified by law. Thus, on a conjoint reading of Articles 265 and 243-X, there is a prohibition against levy and recovery of tax by a Municipality unless the

Legislature of the State in exercise of powers under Article 243-X authorizes the Municipality to levy and collect such taxes, fees etc. In the present case, a bare reading of the impugned Government resolution indicates that the same has not been issued in exercise of any statutory power. However, even if the statutory provision under which the power is derived is not mentioned, so long as there is some statutory provision under which such power is derived, the Government resolution would not stand vitiated. In the circumstances it would next be required to be examined as to whether there is any statutory provision which vests in the State or the Municipal Corporations or Municipalities, the power to levy and collect annual permission fees and installation charges for erection of mobile telecommunication towers put up by cellular companies.

... ..

29. Since the levy in question is termed annual **permission fee and installation**

charge, it may be pertinent to refer to the provisions of Chapter XXII of the BPMC Act which provides for “Licences and Permits”. The said Chapter is subdivided into nine parts as under:

1. Licensing of Surveyors, Architects or Engineers, Structural Designers, Clerks of Works and Plumbers;
2. Trade licences and other licences for keeping animals and certain articles;
3. Licences for sale in municipal markets;
4. Licences for private markets;
5. Licences for sale of Articles of Food outside of Markets;
6. Licensing of Butchers, etc.;
7. Licensing for diary products;
8. Licences for hawking, etc.; and
9. General provisions regarding licences and permits.

... ..

34. In the light of the aforesaid discussion, it is apparent that insofar as Municipal Corporations are concerned,

the respondents have not been in a position to point out any statutory force behind the levy of annual permission fee and/or installation charges. The Apex Court in *Commissioner of Income Tax, Udaipur v. McDowell and Co. Limited (supra)* has held thus:

“Tax”, “duty”, “cess’ or “fee” constituting a class denotes to various kinds of imposts by State in its sovereign power of taxation to raise revenue for the State. Within the expression of each specie each expression denotes different kind of impost depending on the purpose for which they are levied. This power can be exercised in any of its manifestation only under any law authorizing levy and collection of tax as envisaged under Article 265 which uses only the expression that no “tax” shall be levied and collected except authorised by law. It is its elementary meaning conveys that to support a tax legislative action is essential, it cannot be levied and

collected in the absence of any legislative sanction by exercise of executive power of State under Article 73 by the Union or Article 162 by the State.”

In the light of the law laid down by the Supreme Court in the decision cited hereinabove, it is apparent that in absence of legislative sanction, the State Government in exercise of its executive power under Article 162 cannot levy and collect annual permission fee and installation charges in relation to mobile telecommunication towers put up by Cellular companies.”

(Emphasis applied)

It is also germane to notice the judgment of the Division Bench of the High Court of Madras in the case of **SHRINE BASILICA OF OUR LADY OF HEALTH VAILANKANNI v. THE EXECUTIVE OFFICER**¹⁶ interpreting power of the Municipality to levy, collect

¹⁶ (1998)2 CTC 327

and appropriate taxes, tolls and fees, wherein it is held that it can only be in accordance with the procedure prescribed in law.

33. Therefore, the synthesis of the interpretation of a tax or a fee that can be levied by a Corporation upon its citizens as considered in the judgments (*supra*), would lead to an unmistakable conclusion that a fee is a charge for special service rendered to individuals by a governmental agency; the amount of fee levied is supposed to be based on expenses incurred by Government in rendering service. Fee is uniform and no account is taken of payers' capacity. Imposition of fee can only be as a *quid pro quo*. The licence fee that is payable to the BBMP is for approving construction plan and issuing licence. An applicant for approval of a plan would submit a blue print of a plan prepared at his own expense along with no objection and other supporting

documents as prescribed in law and the building will have to be constructed only upon a licence being given and plan being approved. Apart from the fact that there is no statutory backing for such a fee, the levy of such fee is even otherwise illegal. Scrutiny fee is again charged for scrutinizing documents submitted for issuance of a licence. It is co-terminus with licence fee and therefore, would lose its legs to stand for the very same reason as that of licence fee.

The other fee that is called in question is a Lake Rejuvenation Fee.

LAKE REJUVENATION FEE:

34. Lake Rejuvenation Fee is imposed invoking Section 18(1)(A) of the Karnataka Town and Country Planning Act, 1961¹⁷, which reads as under:

“(1) Notwithstanding anything contained in this Act, the Planning

¹⁷ ‘**KTCP Act**’ for short

Authority while granting permission for development of land or building levy and collect from the owner of such land or building -

- (i) A Cess for the purpose of carrying out any water supply scheme;*
- (ii) A surcharge for the purpose of formation of ring road;*
- (iii) A Cess for the purpose of improving slums; and*
- (iv) A surcharge for the purpose of establishing Mass Rapid Transport System at such rate but all the above levies together not exceeding one tenth of the market value of the land or building as may be prescribed”*

A bare perusal at the said Section would clearly indicate that the Planning Authority while granting permission for development of land or building, levy and collect a cess for purpose for carrying out water supply scheme, a surcharge for formation of ring road, a cess for the

purpose of improving slums, a surcharge for establishing mass rapid transport system. Therefore, Section 18(1)(A) of the KTCP Act empowers the Planning Authority, which is the BDA to collect Lake Rejuvenation Fee on the circumstances narrated therein. This would not even remotely authorize the BBMP to expressly or impliedly charge or levy Lake Rejuvenation Fee.

35. It is to be noticed that Lake Rejuvenation Fee is not imposed in terms of the Act, but on the strength of a circular dated 27.01.2017. The Act itself not authorizing charge of any fee of the kind that is charged by the BBMP, the circular can hardly generate power to impose such fee. It is also to be noticed that BBMP has made the levy of Lake Rejuvenation Fee applicable to all applications coming in for a building licence and sanction of plan in terms of their circular dated 30.03.2017. Therefore, both the circulars of the

Government and the BBMP would on the face of it become unenforceable as they seek to impose certain impost without any statutory backing for such imposition.

LINKING THE IMPUGNED LEVY TO GUIDANCE VALUE:

36. The impugned exorbitant demands now made by the Corporation are all on the strength of certain circulars. Ground rent, licence fee, scrutiny fee, building licence fee and lake rejuvenation fee are linked to guidance value by issuing circulars dated 04.09.2015, 27.01.2017 and 30.03.2017. Guidance value of a property is a value fixed by a Committee constituted under Section 45B of the Karnataka Stamp Act, 1957. The said guidance value so fixed by the Committee would vary on the location of the property. There can be no relevance to determine the impugned levies made by the Corporation linking ground rent, lake rejuvenation fee, licence fee are all on the basis of the

aforesaid circular dated 04.09.2015. Notwithstanding the fact that the circulars cannot seem to impose the impugned levies or link the same to the guidance value, the guidance value of property is a value fixed by a committee constituted under Section 45(b) of the Stamp Act, which is for the purpose of determining the value below which the property cannot be sold based on which registration charges and stamp duty are determined and for detection of cases of undervaluation in terms of Section 45(a) of the Stamp Act. Linking ground rent to the guidance value is of no relevance to determine impugned levies made by the Corporation. The guidance value so fixed by the Committee under the Stamp Act would without any doubt vary on the location of the property. Therefore, imposition of ground rent, linking of licence fee and scrutiny fee to the guidance value are manifestly arbitrary, as the guidance value would vary from place to place. As an illustration the guidance value in the

central business district (CBD) of Bangalore has sky rocketed and the guidance value in a remote area on the out-skirts of Bangalore is at a different value which is admittedly lesser. Linking guidance value for the same purpose of imposition of ground rent would result in gross arbitrariness and is violative of Article 14 of the Constitution of India. It is these circulars that linked the demand of the impugned levy to the guidance value that left the citizens bleeding and the business houses fleeing.

37. At the same time it cannot be said that a citizen or any person who uses the public property, can use it without payment of any fee. The fee is chargeable for storing materials on the public property or the Corporation property, at a fee properly determined and not by the guidance value, that too after bringing in suitable amendment to the law and not under the by-laws that are now being used to impose ground rent,

licence fee, scrutiny fee and security deposit. The same goes with lake rejuvenation fee that is imposed, which is also linked to guidance value, drawing an imaginary power under the KTCP Act.

DEFENCE OF THE BBMP:

38. In the light of the aforesaid analysis, it is now germane to notice the defence of the BBMP in all these cases in justification of the impugned fee. The learned counsel Sri.V.Sreenidhi, representing the BBMP, seeks to justify the impugned levies taking shelter under Section 295 of the Act, with particular reference to sub-section (1) (a) and (b) of Section 295. The aforesaid Section reads as follows:

“295. Building bye- laws - (1) With the approval of the Government the Corporation may make bye-laws, -

(a) for the regulation or restriction of the use of sites of buildings,
and

(b) for the regulation or restriction of building.”

Sub-section (1)(a) deals with regulation or restriction of use of sites or of buildings. Section (1) (b) deals with regulation or restrictions of a building. It is unimaginable how the BBMP can impose the fee taking shelter under Section 295. Though Section 295 deals with the power of making bye-laws for regulation of buildings, nowhere empowers the BBMP to impose the impugned levy. The argument of the learned counsel is that funds are required for the BBMP for performing its manifold activities for the benefit of citizens, in the upkeep of roads, to maintain cleanliness of the City, computerization or digitization of all the services which is the reason for imposition/demand of impugned levy is also unacceptable for the reason that the BBMP is collecting fee for such activity under Sections 466 and

467 of the Act. Sections 466 and 467 of the Act read as follows:-

“466. Power to declare expenses on certain works as improvement expenses.—If the expenses to be recovered have been incurred or are to be incurred in respect of any work mentioned,—

- (a) in section 189, section 225, section 227, clause (b) of sub-section (1) of section 272, section 283, sub-sections (1) and (2) of section 328, section 332 section 337, section 376 or section 462; or
- (b) in any rule made under this Act in which this section is made applicable to such expenses, the Commissioner may, if he thinks fit and with the approval of the standing committee, declare such expenses to be improvement expenses.

467. Improvement expenses by whom payable.—(1) Improvement expenses

shall be a charge on the premises, in respect of which or for the benefit of which the same shall have been incurred and shall be recoverable in instalments of such amounts, and at such intervals, as will suffice to discharge such expenses together with interest thereon within such period not exceeding twenty years as the Commissioner may in each case determine.

(2) The said instalments shall be payable by the owner or occupier of the premises on which the expenses are charged:

Provided that when the occupier pays any such instalment he shall be entitled to deduct the amount thereof from the rent payable by him to the owner or to recover the same from the owner.”

The aforesaid provision of the Act empowers improvement charges to be collected from citizens by the BBMP which is being collected at rates specified from time to time. It is under these provisions of law improvement charges are being collected from citizens.

Therefore, the argument that the City has to be kept clean, roads have to be kept in order and for other manifold activities all the levies are valid as they to into the BBMP's fund and the fund is regulated under the Act are all rendered unsustainable as power under the Act for imposition of such levy being unavailable. Linking the impugned levies to the guidance value, as stated hereinabove, has led the citizens bleeding. For the reasons indicated hereinabove, the argument advanced by the BBMP for justification of any of the impugned levies to the extent indicated and considered in this order, are unacceptable.

39. Insofar as the judgments relied on by the learned counsel appearing for the BBMP is concerned, the Apex Court in the case of **STATE OF BIHAR V. BIHAR DISTILLERY LTD.**,¹⁸ holds as follows:

“17. Now coming to the reasoning in the impugned judgment, we must say with all

¹⁸ (1997) 2 SCC 453

respect that we have not been able to appreciate it. The approach of the court, while examining the challenge to the constitutionality of an enactment, is to start with the presumption of constitutionality. The court should try to sustain its validity to the extent possible. It should strike down the enactment only when it is not possible to sustain it. The court should not approach the enactment with a view to pick holes or to search for defects of drafting, much less inexactitude of language employed. Indeed, any such defects of drafting should be ironed out as part of the attempt to sustain the validity/constitutionality of the enactment. After all, an Act made by the legislature represents the will of the people and that cannot be lightly interfered with. The unconstitutionality must be plainly and clearly established before an enactment is declared as void. The same approach holds good while ascertaining the intent and purpose of an enactment or its scope and application. Now, the result of the impugned judgment is that the Amending Act has

become an exercise in futility — a purposeless piece of legislation. And this result has been arrived at by pointing out some drafting errors and some imperfection in the language employed. If only the High Court had looked into the minutes of the meeting dated 15-12-1989 and the two letters of the Commissioner aforementioned, it would have become clear that the Amending Act was doing no more than repeating contents of the said letters and placing the legislative imprimatur on them. As the impugned judgment itself suggests, part of the imperfection of language is perhaps attributable to translation from Hindi to English. Indeed, it is surprising that the Court has not even referred to the long preamble to the Act which clearly sets out the context and purpose of the said enactment. It was put in at such length only with a view to aid the interpretation of its provisions. It was not done without a purpose. To call the entire exercise a mere waste is, to say the least, most unwarranted besides being uncharitable. The court must recognize the fundamental nature and importance of

legislative process and accord due regard and deference to it, just as the legislature and the executive are expected to show due regard and deference to the judiciary. It cannot also be forgotten that our Constitution recognises and gives effect to the concept of equality between the three wings of the State and the concept of “checks and balances” inherent in such scheme.

Following the judgment in the case of **BIHAR DISTILLERY**, the Apex Court in the case of **BHANUMATI V. STATE OF U.P.**¹⁹ has held as follows:

“82. In State of Bihar v. Bihar Distillery Ltd. [(1997) 2 SCC 453] this Court in SCC para 17 at p. 466 : JT para 18 at pp. 865-66 of the Report laid down certain principles on how to judge the constitutionality of an enactment. This Court held that in this exercise the Court should:

(a) try to sustain validity of the impugned law to the extent possible. It can strike down the

¹⁹ (2010) 12 SCC 1

enactment only when it is impossible to sustain it;

(b) the Court should not approach the enactment with a view to pick holes or to search for defects of drafting or for the language employed;

(c) the Court should consider that the Act made by the legislature represents the will of the people and that cannot be lightly interfered with;

(d) the Court should strike down the Act only when the unconstitutionality is plainly and clearly established;

(e) the Court must recognise the fundamental nature and importance of legislative process and accord due regard and deference to it.

This Court abstracted those principles from various judgments of this Court.

83. *In State of Bihar [(1997) 2 SCC 453] this Court also considered the observations of Lord Denning in Seaford Court Estates Ltd. v. Asher [(1949) 2 KB 481 : (1949) 2 All ER 155 (CA)] and highlighted that the job of a*

judge in construing a statute must proceed on the constructive task of finding the intention of Parliament and this must be done (a) not only from the language of the statute but also (b) upon consideration of the social conditions which gave rise to it (c) and also of the mischief to remedy which the statute was passed and if necessary (d) the judge must supplement the written word so as to give “force and life” to the intention of the legislature. According to Lord Denning these are the principles laid down in Heydon case [(1584) 3 Co Rep 7a : 76 ER 637] and is considered one of the safest guides today. This Court also accepted those principles. (See Bihar Distillery Ltd. case [(1997) 2 SCC 453] , SCC para 20 at p. 468 : JT para 21 at p. 867 of the Report.)

84. *Reliance was also placed on another decision of this Court in Dharam Dutt v. Union of India [(2004) 1 SCC 712] . This judgment is relevant in order to deal with the argument of the learned counsel for the appellants that in reducing the period for*

bringing the no-confidence motion from “two years” to “one year” and then in reducing the required majority from 2/3rd to simple majority, the legislature was guided by the sinister motive of some influential Ministers to get rid of a local leader who, as a Pradhan of Panchayat, may have become very powerful and competitor of the Minister in the State.

85. *In Dharam Dutt [(2004) 1 SCC 712] this Court held that if the legislature is competent to pass a particular law, the motives which impelled it to act are really irrelevant. If the legislature has competence, the question of motive does not arise at all and any inquiry into the motive which persuaded Parliament into passing the Act would be of no use at all.”*

The Apex Court in the case of **STATE OF U.P. V.**

VAM ORGANIC CHEMICALS LTD.,²⁰ has held as follows:

²⁰ (2004) 1 SCC 225

“30. *The locus classicus on the distinction between a “fee” and a “tax” is the decision of this Court in Commr., H.R.E. v. Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt [AIR 1954 SC 282 : 1954 SCR 1005] . In that case the subject-matter of challenge was, inter alia, Section 76 of the Madras Hindu Religious and Charitable Endowments Act, 1951 under which religious institutions were required to make a contribution at 5 per cent of their income towards the services rendered by the Government and its officers. According to the State this annual contribution was a fee for overseeing the working of the religious institutions. According to the religious institutions, the levy was a tax which the State was incompetent to impose.*

31. *The distinctive characteristics of a tax and fee were laid down. As far as fee is concerned, it was held that: (AIR p. 295, para 44)*

“[A] fee is generally defined to be a charge for a special service rendered to individuals by some governmental

agency. The amount of fee levied is supposed to be based on the expenses incurred by the Government in rendering the service, though in many cases the costs are arbitrarily assessed. Ordinarily, the fees are uniform and no account is taken of the varying abilities of different recipients to pay.... These are undoubtedly some of the general characteristics, but as there may be various kinds of fees, it is not possible to formulate a definition that would be applicable to all cases."

(emphasis supplied)

33. *This Court struck down Section 76 on the ground that the annual contribution was a tax as there was "total absence of any correlation between the expenses incurred by the Government and the amount raised by contribution under the provision of Section 76 and in these circumstances the theory of a return or counterpayment or 'quid pro quo' cannot have any possible application to this case" (AIR p. 296, para 49).*

(emphasis supplied)

34. *The word “service” in the context of a fee could, therefore, include, a levy for a compulsory measure undertaken vis-à-vis the payer in the interest of the public. This “coercive” measure has been subsequently judicially clarified to mean a “regulatory measure”. But in the case of both kinds of services, whether compulsorily imposed or voluntarily accepted, there would have to be a correlation between the levy imposed and the “counter payment or quid pro quo”. However, correlation between the levy and the services rendered is one of general character and not of mathematical exactitude. All that is necessary is that there should be a reasonable “relationship” between levy of the fee and the service rendered. [Sreenivasa General Traders v. State of A.P., (1983) 4 SCC 353] Contrariwise when there is no such correlation, the levy, despite its nomenclature is in fact a tax. In Corpn. of Calcutta v. Liberty Cinema [AIR 1965 SC 1107] the licence fee charged under Section 548 of the Calcutta Municipal Act, 1951 had been challenged on the ground that no service was rendered*

commensurate with the tax. This Court said that the levy was a tax which the State was competent to impose: (AIR pp. 1116-17, para 20) “[T]he Act does not provide for any services of special kind being rendered resulting in benefits to the person on whom it is imposed. The work of inspection done by the Corporation which is only to see that the terms of the licence are observed by the licensee is not a service to him. No question here arises of correlating the amount of the levy to the costs of any service. The levy is a tax. It is not disputed, it may be stated, that if the levy is not a fee, it must be a tax.”

(emphasis supplied)

In the aforesaid judgment the Apex Court has impliedly overruled **BIHAR DISTILLERY** and has clearly held that the element of *quid pro quo* cannot be diluted in the charge of a fee, failing which, it would become imposition of tax and not a fee. The aforesaid judgment considers the judgments on the issue and follows

SIRUR MUTT and **LIBERTY CINEMA** (*supra*). The subsequent judgment relied on by the learned counsel with regard to constitutionality would not be applicable to the facts of the case at hand as it followed **BIHAR DISTILLERY** which stands impliedly overruled in the judgment (*supra*).

40. As held by the Apex Court in the case of **AHMEDABAD URBAN DEVELOPMENT AUTHORITY** (*supra*), imposition of a tax or a fee by a delegated authority must be very specific and there is no scope of implied authority for imposition of such tax or fee. The authority must act strictly within the parameters of the Act. The theory of implied intent or the concept of incidental and ancillary power, as submitted by the learned counsel appearing for the BBMP cannot be accepted.

LABOUR CESS UNDER THE WELFARE CESS ACT:

41. The issue that remains for consideration is imposition of labour cess in terms of the statute. Writ Petition No.8849 of 2020 among other cases is taken up for consideration in so far as it pertains to labour cess, which is called in question in several of the writ petitions. The demand for labour cess is under the Welfare Cess Act and the Rules framed there under. The Welfare Cess Act was promulgated for levy and collection of cess on the cost of construction incurred by employers with a view to augmenting resources of the Building and Other Construction Workers' Welfare Boards constituted under the Welfare Cess Act. Certain provisions in the Welfare Cess Act that are germane for consideration in the subject *lis* are extracted hereunder for the purpose of quick reference:

“3. Levy and collection of cess.—(1)

There shall be levied and collected a cess for

the purposes of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 at such rate not exceeding two per cent. but not less than one per cent. of the cost of construction incurred by an employer, as the Central Government may, by notification in the Official Gazette, from time to time specify.

(2) The cess levied under sub-section (1) shall be collected from every employer in such manner and at such time, including deduction at source in relation to a building or other construction work of a Government or of a public sector undertaking or advance collection through a local authority where an approval of such building or other construction work by such local authority is required, as may be prescribed.

(3) The proceeds of the cess collected under sub-section (2) shall be paid by the local authority or the State Government collecting the cess to the Board after deducting the cost of collection of such cess

not exceeding one per cent. of the amount collected.

(4) Notwithstanding anything contained in sub-section (1) or sub-section (2), the cess leviable under this Act including payment of such cess in advance may, subject to final assessment to be made, be collected at a uniform rate or rates as may be prescribed on the basis of the quantum of the building or other construction work involved.

... ..

5. Assessment of cess.—*(1) The officer or authority to whom or to which the return has been furnished under section 4 shall, after making or causing to be made such inquiry as he or it thinks fit and after satisfying himself or itself that the particulars stated in the return are correct, by order, assess the amount of cess payable by the employer.*

(2) If the return has not been furnished to the officer or authority under sub-section (2) of section 4, he or it shall, after making or

causing to be made such inquiry as he or it thinks fit, by order, assess the amount of cess payable by the employer.

(3) An order of assessment made under sub-section (1) or sub-section (2) shall specify the date within which the cess shall be paid by the employer.

... ..

8. **Interest payable on delay in payment of cess.**—If any employer fails to pay any amount of cess payable under section 3 within the time specified in the order of assessment, such employer shall be liable to pay interest on the amount to be paid at the rate of two per cent. for every month or part of a month comprised in the period from the date on which such payment is due till such amount is actually paid.

... ..

11. **Appeals.**—(1) Any employer aggrieved by an order of assessment made under section 5 or by an order imposing penalty made under section 9 may, within such time as may be prescribed, appeal to

such appellate authority in such form and in such manner as may be prescribed.

(2) Every appeal preferred under sub-section (1) shall be accompanied by such fees as may be prescribed.

(3) After the receipt of any appeal under sub-section (1), the appellate authority shall, after giving the appellant an opportunity of being heard in the matter, dispose of the appeal as expeditiously as possible.

(4) Every order passed in appeal under this section shall be final and shall not be called in question in any court of law.

... ..

14. Power to make rules.—(1) *The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.*

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) *the manner in which and the time within which the cess shall be collected under sub-section (2) of section 3;*
- (b) *the rate or rates of advance cess leviable under sub-section (4) of section 3;*
- (c) *the particulars of the returns to be furnished, the officer or authority to whom or to which such returns shall be furnished and the manner and time of furnishing such returns under sub-section (1) of section 4;*
- (d) *the powers which may be exercised by the officer or authority under section 7;*
- (e) *the authority which may impose penalty under section 9;*
- (f) *the authority to which an appeal may be filed under sub-section (1) of section 11 and the time within*

which and the form and manner in which such appeal may be filed;

- (g) the fees which shall accompany an appeal under sub-section (2) of section 11; and*
- (h) any other matter which has to be, or may be, prescribed.*

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification 5 in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without

prejudice to the validity of anything previously done under that rule.”

Section 3 of the Welfare Cess Act deals with levy and collection of cess and mandates that cess shall be levied and collected under the Welfare Cess Act at such rate not exceeding 2% but not less than 1% of the cost of construction incurred by the employer as the Central Government or the State Government may specify in this behalf from time to time.

42. The cess levied under sub-section (1) is to be collected from every employer. Two modes of collection are envisaged under sub-section (2). Deduction at source in relation to a building or other construction work of a Government or of a public sector undertaking or advance collection through a local authority where an approval of such building or other construction by such local authority is required, as may be prescribed. The local authority which is empowered to collect cess in

terms of the Welfare Cess Act is the BBMP in the case at hand. Under sub-section (3) the proceeds of cess collected is to be paid by the local authority or the State Government who has collected the cess to the Board after collecting the cost of collection of such cess not exceeding 1% of the amount so collected.

43. The assessment of cess is dealt with under Section 5 of the Welfare Cess Act. Section 8 deals with interest payable on delay in payment of cess. Any dispute with regard to the assessment of cess under Section 5 or imposition of interest or penalty under Sections 8 and 9 is appealable under Section 11. Section 14 of the Welfare Cess Act empowers the Government to make Rules for the purpose of carrying out the provisions of the Act. The Rules are to be made with regard to the manner and the time within which cess shall be paid and collected under sub-section (2) of Section 3 (*supra*).

44. In exercise of powers conferred by sub-section (1) of Section 14 rules have been framed by the Central Government viz., the Building and Other Construction Workers' Welfare Cess Rules, 1998 (for short 'the Cess Rules'). Rule 3 deals with levy of cess for collection to be made under Section 3 of the Welfare Cess Act. Relevant rules for the purpose of *lis* are Rules 3, 4, 8 and 11 which are extracted hereunder for the purpose of ready reference:

“3. Levy of cess.- For the purpose of levy of cess under sub-section (1) of section 3 of the Act, cost of construction shall include all expenditure incurred by an employer in connection with the building or other construction work but shall not include—

cost of land;

any compensation paid or payable to a worker or his kin under the Workmen's Compensation Act, 1923.

4. Time and manner of collection.-

(1) The cess levied under sub-section (1) of

section 3 of the Act shall be paid by an employer, within thirty days of completion of the construction project or within thirty days of the date on which assessment of cess payable is finalised, whichever is earlier, to the cess collector.

(2) Notwithstanding the provisions of sub-rule (1), where the duration of the project or construction work exceeds one year, cess shall be paid within thirty days of completion of one year from the date of commencement of work and every year thereafter at the notified rates on the cost of construction incurred during the relevant period.

(3) Notwithstanding the provisions of sub-rule (1) and sub-rule (2), where the levy of cess pertains to building and other construction work of a Government or of a Public Sector Undertaking, such Government or the Public Sector Undertaking shall deduct or cause to be deducted the cess payable at the notified rates from the bills paid for such works.

(4) Notwithstanding the provisions of sub-rule (1) and sub-rule (2), where the approval of a construction work by a local authority is required, every application for such approval shall be accompanied by a crossed demand draft in favour of the Board and payable at the station at which the Board is located for an amount of cess payable at the notified rates on the estimated cost of construction:

Provided that if the duration of the project is likely to exceed one year, the demand draft may be for the amount of cess payable on cost of construction estimated to be incurred during one year from the date of commencement and further payments of cess due shall be made as per the provisions of sub-rule (2).

(5) An employer may pay in advance an amount of cess calculated on the basis of the estimated cost of construction along with the notice of commencement of work under section 46 of the Main Act by a crossed demand draft in favour of the Board and

payable at the station at which the Board is located:

Provided that if the duration of the project is likely to exceed one year, the demand draft may be for the amount of cess payable on cost of construction estimated to be incurred during one year from the date of such commencement and further payment of cess due shall be made as per the provisions of sub-rule (2).

(6) Advance cess paid under sub-rules (3), (4) and (5), shall be adjusted in the final assessment made by the Assessing Officer.

... ..

8. Return of overpaid cess.—(1)

Where the Assessing Officer has passed an order of assessment and the employer decides to withdraw from or foreclose the The Building and other construction workers' Welfare Cess Rules, 19981 works or modifies the plan of construction thereby reducing the cost of construction undertaken or has been forced by other circumstances to call off the completion of the work undertaken, he may

seek revision of the assessment order by making an information in Form II to the Assessing Officer giving details of such reduction or stoppage of work.

(2) Revision of order of assessment shall be made by the Assessing Officer, in the same manner as the original order, within thirty days of receipt of such information in Form II.

(3) Following the revision of assessment as per sub-rule (2), the Assessing Officer shall, wherever necessary, endorse a copy of the revised assessment to the Board or cess collector, as the case may be, for making the refund of excess cess as ordered in the revised assessment.

(4) The Board shall, within thirty days of receipt of the endorsement from the Assessing Officer under sub-rule (3), refund the amount specified in the order to the employer through a demand draft payable at the station where the establishment is located.

(5) Where the Appellate Authority has modified the order of assessment reducing the amount of cess, refund shall be made within such time as may be specified in that order.

... ..

11. Date of payment.—*Date of payment of cess shall be the date on which the amount is deposited with the cess collector under sub-rule (1) of rule 4, or the date of deduction at source under sub-rule (3) of rule 4, or the date on which the draft has been deposited with the local authority under sub-rule (4) of rule 4, as the case may be.”*

In terms of Rule 4 which deals with time and manner of collection of cess it clearly depicts that cess is to be paid where duration of the project or construction work exceeds one year within 30 days of completion of one year from the date of commencement of the work. Sub-rule (5) of Rule 4 directs that an employer may pay in advance an amount of cess calculated on the basis of

estimated cost of construction along with the notice of commencement of work.

45. Therefore, two directions emerge from sub-rules (2), (4) and (5) of Rule 4. The cess levied under sub-section (1) of Section 3 of the Act is to be paid by the employer within 30 days of completion of construction or the project or within 30 days on which the assessment of cess is finalized, whichever is earlier to the Cess Collector. Sub-rule (2) begins with a *non obstante* clause reading notwithstanding the provisions of sub-rule (2) where the duration of the project exceeds one year, the cess can be paid within one month of completion of one year from the date of commencement of work. Sub-rule (4) which again begins with a *non-obstante* clause mandates that notwithstanding sub-rules (1) and (2) where approval of a construction work by a local authority is required, every application for such approval shall be accompanied by a crossed

demand draft in favour of the Board. The amount of cess payable is at the notified rates on the estimated cost of construction.

46. Therefore, whatever sub-rules (1) and (2) have given is taken away by sub-rule (4). At the time when the application is submitted to the BBMP for approval it should contain a demand draft of the amount of cess payable at the notified rates on the estimated cost of construction. Therefore, it is under this provision the BBMP, being a local authority, is empowered to demand labour cess at the notified rate. Sub-rule (4) is accompanied with a proviso.

47. The proviso to sub-rule (4) mandates that if the duration of the project is likely to exceed one year, the demand draft may be for the amount of cess payable on the cost of construction incurred during one year from the date of commencement and payment of cess that would fall due in terms of sub-rule (2). Therefore,

the proviso though permits demand of cess from the hands of BBMP it does not mandate payment upfront in advance at a time when application for approval is made. Sub-rule (5) makes it directory and not mandatory as it reads an employer may pay in advance an amount of cess calculated on the basis of estimated cost of construction.

48. Rule 8 deals with return of overpaid cess. Rule 11 mandates date of payment. In terms of Rule 11 the date of payment of cess shall be the date on which the amount is deposited in terms of the aforesaid Rules with the local authority. In terms of the afore-narrated provisions of the Welfare Cess Act and the Cess Rules, the impugned demand is required to be noticed and considered. The notice of demand in the case at hand is dated 12.06.2020. The labour cess along with other imposts that is demanded is Rs.2,17,047-00. Sub-section (3) of Section 3 of the Welfare Cess Act provides

for deducting the cost of collection of cess not exceeding one per cent of the amount collected by the local authority. The contention of the petitioners in so far as labour cess is concerned that it is demanded upfront which is contrary to the Welfare Cess Act and the Cess Rules as the BBMP has included the said demand in the list of imposts for upfront payment of the entire amount of labour cess is contrary to the Welfare Cess Act and the Cess Rules.

49. The contention of the Government Advocate that the petitioners have to file an appeal in so far as it concerns labour cess is misconceived. The demand of cess upfront by the BBMP at the time when approval is to be given for construction of a building, though in the first blush, looks to be in terms of the Welfare Cess Act, the proviso to the Welfare Cess Act dilutes and makes it directory for the employer to pay the cess in advance or to pay the cess 30 days after completion of one year

from the date of commencement of work. Therefore, the demand of upfront labour cess in the impugned order is unenforceable against the petitioners, for it being contrary to the Act.

50. The demand now made is undoubtedly payable by the petitioners but on completion of one year of the project within 30 days of such completion which is the mandate of the Welfare Cess Act and is to be strictly adhered to. Moreover, in the light of the fact that Rule 7 of the Rules mandates the employer to provide details of estimated cost of construction in Form No.I and the Assessing Officer would pass an order of assessment. A conjoint reading of Rules 4 and 7 makes it unmistakably clear that the local authority may either within 30 days of completion of the project or within 30 days from the date of assessment of cess payable is finalized, whichever is earlier, shall pay cess to the Cess Collector.

51. The justification of Government for upfront demand of cess of one percent of the estimated cost is on the strength of two Government orders dated 18-01-2007 and 26-02-2007 which are issued in furtherance of the Act and the Rules. The Government orders which are issued in furtherance of the Act and the Rules cannot run counter to the Act and the Rules. The mandate of the Act or the Rules cannot be taken away by Government orders. The offending portion of the Government order dated 18.01.2007 reads as follows:-

“(c) Where the approval of the construction work by local authority is required, all local authorities mainly Bangalore Mahanagara Palike, and all City Corporations, Municipal Corporations and Town Municipalities, Panchayats etc., shall obtain estimated cost of the construction along with building plans, which are submitted for approval by concerned employees i.e., owners/ contractors/builders etc., such bodies shall collect upfront an amount of 1% of the estimated cost furnished

along with building plans, and remit by way of crossed demand draft payable in favour of Karnataka State Building and Other Construction Workers Welfare Board, along with forwarding letter within 30 days in terms of Rules 5(3) of the Building and Other Construction Workers Welfare Cess Rules, 1998. The local bodies before remitting the amount of cess of the board can deduct 1% of the total amount collected for meeting their administrative expenses.”

The said clause of the Government order is modified by issuance of corrigendum dated 28-02-2007 which reads as follows:-

“In order portion of the G.O.No.LD 300 LET 2006 dated xx 2007, the para No.(c) is deleted and the following para is substituted:

(c) “Where the approval of the construction work by local authority is required, all local authorities mainly Bangalore Mahanagara Palike, and all City Corporations, Municipal Corporations and Town Municipalities, Panchayats etc.; shall

obtain estimated cost of the construction along with building plans, which are submitted for approval by concerned employers i.e., owners/ contractors/builders etc.; such bodies shall collect by way of demand draft in favour of Karnataka State Building and Other Construction Workers Welfare Board upfront an amount of 1% of the estimated cost furnished along with building plans, and remit the demand draft to the Karnataka State Building and Other Construction Workers Welfare Board along with forwarding letter within 30 days in terms of Rules 5(3) of the Cess Rules, 1998. The Board shall give back 1% of such total collection to the local body for the services rendered.”

It is this Government Order that is the ***fly in the ointment*** as a demand upfront is made by the State through the BBMP for payment of cess. This runs completely counter to the Act and the Rules which empower demand of cess. The charging provisions are

Section 3 and Rule 3 of the Act and Rules respectively, which nowhere mandate that payment of labour cess should be paid upfront. It is the Government order dated 28.02.2007 which generates such demand. Since the impugned Government order runs counter to the Act and the Rules, it is rendered unenforceable. Therefore, the petitioners are not required to pay labour cess upfront before construction takes place but would not escape such payment as mandated under the Act and as such the demand of labour cess by the BBMP at 1% being valid but the demand of it upfront is invalid.

REFUND:

52. The learned counsel appearing for the petitioners, in particular, the learned counsel in W.P.No.36017/2018 Ms.Nayantara would vehemently argue that if the impugned levies are without authority of law, the petitioners are entitled to a refund and would place reliance upon the judgment of the Apex Court in

the case of **U.P.POLLUTION CONTROL BOARD VS. KANORIA AND OTHERS**²¹ and in the case of **SREE DIGVIJAY CEMENTS COMPANY AND OTHERS VS. UNION OF INDIA**²². Though in terms of the judgments relied on by the learned counsel would at the first blush look acceptable, the facts of the case that went into rendering of the aforesaid judgments will have to be considered and if considered, they are distinguishable without much *ado*. Therefore, a blanket refund cannot be the consequence in the peculiar facts of the case at hand.

53. Holding the impugned demands to be illegal will not preclude or be an impediment for the legislature to bring out suitable legislation for imposition of the said demands. This is in the light of the judgment of the Division Bench of this Court in the case of **Wireless**

²¹ AIR 2001 SC 787

²² AIR 2003 SC 767

- ***TT Info Services Ltd. and Others V. State of Karnataka and Others***²³

*“2. The learned Single Judge though has accepted the contention that there is no provision to collect the permission fee and installation charges in respect of communication towers has thereafter held that the structure viz., the telecommunication tower answers the definition of ‘building’ as defined under Section 2(3) and 2(1-A) of the respective Acts. Though the demand notices were quashed, the learned Single Judge was of the view that the quantified amount as fixed by the Bruhat Bangalore Mahanagara Palike is to be adopted by the other local bodies. **A further direction was also issued for framing such law/rules in this regard. The petitioners claiming to be aggrieved by the decision of the learned Single Judge are before this Court in these intra-Court appeals.***

²³ 2012 (3) Kar.LJ 302

14. Further in the case of *Indus Towers Ltd. v. State of Gujarat* (2010-GHJ-24-329) relied on by the appellants, the Division Bench of the High Court of Gujarat was seized of an identical situation as in the case on hand wherein there was no specific provision for imposing tax on telecommunication equipment, but it had been considered as a 'building' and the regulations were enforced, in fact in that case, in the absence of provision in the Act, which is a requirement under Article 265 of the Constitution of India a Government resolution had been issued in exercise of powers under Article 162 of the Constitution of India providing for such regulations. The validity of the same had arisen for consideration. The Court after adverting to all aspects of the matter and also keeping in view the decisions of the Hon'ble Supreme Court had quashed the same. However, in the course of the judgment, the Court observed that it would be open for the legislature to make such amendments in the Acts making provision for bringing the technological advances within

*the purview of the Act. **We are in agreement and subscribe to the said view, as otherwise it would not be permissible for the local authorities to regulate, levy and collect taxes or fees in respect of mobile telecommunication towers/posts under the presently subsisting charging section of the Acts under consideration.***

15. *Having arrived at the above conclusion, the next aspect for consideration is as to whether the learned Single Judge was justified in the instant case in holding that the appellants are liable to pay tax of Rs. 12,000/- p.a. per mobile tower till appropriate Rules are framed for levying taxes on mobile towers by adopting the Rules stated to have been framed by the Bruhat Bangalore Mahanagara Palike (BBMP). Though we do not propose to express any opinion about the validity or otherwise of the Regulations stated to have been framed by the BBMP as the same do not arise for consideration herein, we are of the opinion that the course adopted*

by the learned Single Judge is not justified in law.

16. The decisions of the Hon'ble Supreme Court referred supra is categorical that the tax cannot be levied in the absence of express provision to do so. **If there is a void, it is for the legislature to remedy the situation. It is also the well-settled position of law that it is not for the Courts either to legislate or direct the legislature to enact the law in any particular manner.** In this regard, it is apposite to refer to the decisions rendered by the Hon'ble Supreme Court in the case of *State of Himachal Pradesh v. A parent of a Student of Medical College, Shimla* (AIR 1985 SC 010); *S.R. Batra v. Taruna Batra* (SMT) (2007 (3) SCC 169) and *Divisional Manager, Aravali Golf Club v. Chander Hass* (2008 (1) SCC 683) relied on by the learned senior counsel for the appellants wherein the said position has been succinctly stated. Hence, in the absence of the fiscal demands being backed by law on the subject, tills Court would strike down the same. It is

for the legislature to take into consideration all aspects and enact such law as it deems fit in its wisdom.”

(Emphasis supplied)

Therefore, in the light of the aforesaid judgment, it is for the legislature to bring about appropriate law to demand any kind of fee that is now demanded.

EPILOGUE:

Ergo, on an anatomy of the plethora of judgments of the Apex Court, this Court and other constitutional Courts *qua* the facts obtaining in the case at hand, the impugned demands made by the BBMP to the extent considered would all be unenforceable in the existing incarnation as they are *ultravires* the Act. As a logical sequitur, I hold, that the ***imposition of the impugned imposts is impossible to be countenanced.***

For the *praedictus* reasons, I pass the following:

ORDER

- (a) All the Writ Petitions are allowed.
- (b) The bye-laws under which Ground Rent, Licence Fee, Building Licence Fee, Scrutiny Fee, Security Deposit are all held ultravires the Act and are resultantly rendered unenforceable.
- (c) The Circular bearing No.ಹೆನಿನಯೋ /ಜಿ.ಡಿ(ಉ)/ಡಿಎಮ್‌3/ಪಿಆರ್/320/2015-16 dated 04.09.2015 stands quashed.
- (d) The Circular bearing No.ನಅಇ 36 ಬೆಮಪ್ರಾ 2016 (ಭಾಗ) dated 27.01.2017 and the Circular bearing No.ಹೆನಿನಯೋ/ಪಿಆರ್/1533/2016-17 dated 30.03.2017 demanding Lake Rejuvenation Fee are quashed.
- (e) Imposition of labour cess under the Welfare Cess Act is upheld, but its demand for payment upfront in terms of Government Orders dated 18.01.2007 and 28.02.2007 stands quashed.
- (f) The State or the BBMP is not precluded from bringing in the impugned levies under the provisions of the Act or the Rules by making suitable amendments to the Act and the Rules.

- (g) Petitioners in all these petitions who have deposited certain amounts in terms of the interim order passed by this Court before this Court are entitled to refund of the amounts so deposited.
- (h) Insofar as refund in other cases who have paid to the Corporation under protest, they shall be entitled to such refund only if the same is not collected from the consumers of the apartments, businesses as the case would be.
- (i) Insofar as all other payments made, they would all be at liberty to give representation to the BBMP and the BBMP would consider the refund of the amounts, in accordance with law and the findings of this Court.
- (j) If representations are made by the petitioners for refund, the BBMP shall pass appropriate orders within 12 weeks from the date of such representations.

In view of disposal of the petitions, all pending Interlocutory Applications also stand disposed.

**Sd/-
JUDGE**

bkp
CT:MJ