



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 11768 OF 2026 (GM-RES)

BETWEEN:

1. RAMANAN M
AGED ABOUT 50 YEARS,
S/O MARIMUTHU
RESIDING AT 100, 1ST CROSS,
NEW TIPPASANDRA,
BANGALORE 560075
2. GAYATHRI
AGED ABOUT 42 YEARS,
W/O RAMANAN M
RESIDING AT 100, 1ST CROSS,
NEW TIPPASANDRA
BANGALORE - 560075
3. DEBADATTA PATRA
AGED ABOUT 41 YEARS,
S/O SUKADEV PATRA
RESIDING AT C166 SECTOR 14
ROURKELA 769009, ODISHA
4. DHARUV JHAMB
AGED ABOUT 36 YEARS,
S/O YADVINDER KUMAR
JHAMB RESIDING AT A-201 LAKE VERANDAHS,
HOUSE OF HIRANANDANI,
AKSHAYA NAGAR
BENGALURU-560068





5. HANUL JHAMB
AGED ABOUT 40 YEARS,
S/O YADVINDER KUMAR JHAMB
RESIDING AT A-201, LAKE VERANDAHS,
HOUSE OF HIRANANDANI,
AKSHAYA NAGAR
BENGALURU-560068
AND REPRESENTED BY HIS POWER OF ATTORNEY
HOLDER DHRUV JHAMB

6. GIRISH S
AGED ABOUT 49 YEARS
S/O SADANANDA NAYAK
RESIDING AT NO 68,
TAPONAGARA,
CHIKKAGUBBI,
BANGALORE-560077

7. RAMULU GEDDA
AGED ABOUT 73 YEARS
S/O LATE SRI THATHA GEDDA
RESIDING AT 20, MAHADEV TOTLA NAGAR,
NEAR BENGALI CHOWRAHA,
INDORE 452016
(SENIOR CITIZEN NOT CLAIMED BY THE
PETITIONER)

...PETITIONERS

(BY SRI. AKASH R BANTIA., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH THE DEPUTY COMMISSIONER
BENGALURU URBAN DISTRICT,
KG ROAD
BENGALURU 560 009
MR. JAGADEESHA

2. THE SPECIAL TAHSILDAR
BANGALORE NORTH TALUK



KANDHAYA BHAVAN,
K G ROAD, BENGALURU - 560 009
MR LOKESH KN

3. M/S MANTRI DEVELOPERS PVT. LTD.
A COMPANY INCORPORATED UNDER THE
COMPANIES ACT, 2013,
HAVING ITS REGISTERED OFFICE AT MANTRI
HOUSE, NO 41, VITTAL MALLYA ROAD,
SHANTHALA NAGAR, ASHOK NAGAR,
BENGALURU, KARNATAKA 560001
REPRESENTED BY ITS MANAGING DIRECTOR
SNEHAL MANTRI
4. THE KARNATAKA REAL ESTATE REGULATORY
AUTHORITY,
THROUGH ITS CHAIRMAN
SECOND FLOOR SILVER JUBILEE BLOCK
3RD CROSS ROAD, CSI COMPOUND,
MISSION ROAD, SAMPANGI RAMA NAGARA,
BENGALURU,
KARNATAKA 560027

...RESPONDENTS

(BY SMT. NVYA SHEKAR, AGA FOR R1 AND R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT RESPONDENTS NO. 1 AND RESPONDENT NO. 2 TO ENFORCE PAYMENT OF AMOUNTS DUE FROM RESPONDENT NO.3 IN ACCORDANCE WITH THE PROCEDURE FOR RECOVERY PROVIDED UNDER THE PROVISIONS OF KARNATAKA LAND REVENUE ACT, 1964 AND RULES THEREUNDER IN A FIXED TIMEBOUND MANNER FOR ENFORCEMENT OF THE DIRECTIONS OF RESPONDENT NO. 4 AT ANNEXURE-A DATED 29.07.2025 BEARING REFERENCE NO RERA/REVENUE/10365/2025-26/3318, AT ANNEXURE A1 DATED 27.07.2023 BEARING REFERENCE NO RERA/REVENUE/9360/2023-24, AT ANNEXURE A2 DATED 16.01.2024 BEARING REFERENCE NO RERA/REVENUE/5953/2023-24 AND ANNEXURE A3 DATED 25.07.2025 BEARING REFERENCE NO



RERA/REVENUE/192/2025-26/3311 ISSUED UNDER SECTION 40 (1) OF REAL ESTATE (REGULATION AND DEVELOPMENT) ACT, 2016 AND RULE 25 OF REAL ESTATE (REGULATION AND DEVELOPMENT) RULES, 2017.

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The captioned writ petition is filed seeking for the following reliefs:-

"A. Issue an appropriate writ, order or direction in the nature of writ of mandamus or any other writ, directing respondent Nos.1 and respondent No.2 to enforce payment of amounts due from respondent No.3 in accordance with the procedure for recovery provided under the provisions of Karnataka Land Revenue Act, 1964 and rules thereunder in a fixed timebound manner for enforcement of the directions of respondent No.4 at Annexure-A dated 29.07.2025 bearing Reference No.RERA/REVENUE/10365/2025-26/3318, a t Annexure-A1 dated 27.07.2023 bearing reference No.RERA/REVENUE/9360/2023-24, at Annexure-A2 dated 16.01.2024 bearing reference No.RERA/REVENUE/5953/2023-24 dated Annexure-A3 dated 25.07.2025 bearing Reference No.RERA/REVENUE/192/2-25-26/3311 issued under Section 40(1) of the Real Estate (Regulation and



Development) Act, 2016 and Rule 25 of Real Estate (Regulation and Development) Rules, 2017;

B. Grant such other relief/s, as this Hon'ble Court may deem fit in the facts and circumstances of this case, in the interests of justice and equity."

2. This Court in W.P.No.10337/2025 has substantially addressed the core issue raised in the captioned writ petition.

3. Heard learned counsel for the petitioners and learned AGA. Perused the records.

4. The grievance of the petitioners is that the Recovery Certificates, which have been issued by the RERA under Section 40(1)(2) of the Real Estate Regulation and Development Act, 2016 (for short 'the Act') and Rule 25 of the Karnataka Real Estate (Regulation and Development) Rules, 2017 ('the K-RERA' for short), have not been enforced by respondent Nos.1 and 2. It is in this backdrop, the petitioners are compelled to knock the doors of the Writ Court seeking aforesaid reliefs.



5. This Court in an identical case has consistently taken view that when a Recovery Certificates are issued by the RERA under Section 40 of 'the Act' and Rule 25 of 'the K-RERA', respondent Nos.1 and 2 are obligated to take further appropriate steps to recover the amounts mentioned in the Recovery Certificates as arrears of land revenue.

6. Since it is not in dispute that Special Deputy Commissioner is now appointed to act on all the Recovery Certificates issued by the RERA, the petitioners by furnishing the Recovery Certificates have demonstrated their legal right to seek directions at the hands of this Court. Equally, respondent Nos.1 and 2, being a designated Authorities, are obligated to enforce the Recovery Certificates obtained by the petitioners. Therefore, this Court proceeds to pass the following;

ORDER

- (i) The writ petition is allowed in part.



- (ii) A mandamus is issued directing respondent Nos.1 and 2 and the Special Deputy Commissioner now appointed to execute the Recovery Certificates at Annexures-A, A1, A2 and A3 and recover the amount within a period of eight weeks from the date of receipt of a copy of this order.
- (iii) The petitioners are at liberty to furnish a list of movable and immovable properties to the Special Deputy Commissioner along with supporting documents.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE