HC-KAR

NC: 2026:KHC:23324
WP No. 13245 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 13245 OF 2026 (GM-RES)

BETWEEN:

1. MR. RAJESH RAO C.V
S/O VISHNU RAO
AGED ABOUT 51,

2. LAXMI RAJESH RAO
W/O RAJESH RAO
AGED ABOUT 50,
BOTH R/O NO G5,
SMR EMBASSY APARTMENTS,
3RD CROSS, RAMARAO LAYOUT,
KATHRIGUPPE, BANASHANAKARI,
3RD STAGE, BENGALURU - 560 085.

3. PARIXIT SHUKLA
H/O JYOTHI TRIPATHI
AGED ABOUT 43

4. JYOTHI TRIPATHI
W/O PARIXIT SHUKLA
AGED ABOUT 42,

BOTH R/O FLAT NO 801,
ALCON RENAISSANT, BUILDING NO 5,
GENOVA BUILDING, NEAR EON IT PARK,
MAHARASHTRA - 411 014.

...PETITIONERS

(BY SRI. REYNOLD DSOUZA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
THROUGH THE DEPUTY COMMISSIONER,
BENGALURU URBAN DISTRICT,
BENGALURU - 560 009.

2. THE SPECIAL TAHASILDAR,
BANGALORE NORTH TALUK,
KANDHAYA BHAVAN, K.G. ROAD,
BENGALURU - 560 009.

3. DEPUTY COMMISSIONER,
BANGALORE RURAL DISTRICT,
DISTRICT OFFICE COMPLEX,
BEERASANDRA VILLAGE,
DEVENHALLI TALUK - 562 110.

4. TAHASILDAR
DEVANHALLI, BANGALORE RURAL,
TALUK PANCHAYATH OFFICE DEVANHALLI,
DEVANHALLI TALUK, BANGALORE - 562 110.

5. KARNATAKA REAL ESTATE REGULATORY AUTHORITY,
THROUGH ITS CHAIRMAN 2ND FLOOR,
SILVER JUBLI BLOCK, UNITY BUILDING,
CSI COMPOUND, 3RD CROSS,
MISSION ROAD, BENGALURU,
KARNATAKA - 560 027.

6. OZONE URBANA INFRA DEVELOPERS
PRIVATE LIMITED,
A COMPANY INCORPORATED UNDER
COMPANIES ACT, 1956,
HAVING ITS REGISTERED OFFICE AT NO. 38,

ULSOOR ROAD, BENGALURU - 560 042.
THROUGH ITS AUTHORIZED REPRESENTATIVE
MANAGING DIRECTOR VASUDEVAN
SATHYAMOORTHY.

7. PRINCIPAL SECRETARY TO GOVERNMENT
REVENUE DEPARTMENT
3RD GATE, 5TH FLOOR, MS BUILDING,
DR. AMBEDAKR VEDDI,
BANGALORE - 560 001.

…RESPONDENTS

(BY SMT. NAVYA SHEKAR, AGA FOR R1 TO R4 AND R7;
VIDE COURT ORDER DATED 27.04.2026, NOTICE TO R5 AND R6 IS DISPENSED WITH)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A. ISSUE AN APPROPRIATE WRIT, ORDER OR DIRECTION IN THE NATURE OF WRIT OF MANDAMUS OR ANY OTHER WRIT, DIRECTING RESPONDENTS NO. 1, 2, 3 AND 4 TO ENFORCE PAYMENT OF AMOUNTS DUE FROM RESPONDENT NO.6 BY IMPLEMENTING THE SAID ORDERS ISSUED BY RESPONDENT NO 5 IN ACCORDANCE WITH THE PROCEDURE FOR RECOVERY PROVIDED UNDER THE PROVISIONS OF KARNATAKA LAND REVENUE ACT, 1964 AND RULES THEREUNDER READ ALONG WITH REAL ESTATE REGULATORY AUTHORITY ACT, 2016 AND RULES THEREUNDER, FOR ENFORCEMENT AND IMPLEMENTATION OF THE DIRECTIONS OF RESPONDENT NO 5 K-RERA UNDER ANNEXURE - C1 -C2 WHICH IS REVENUE RECOVERY CERTIFICATE BEARING RERA/REVENUE/1149/2025-

26/3702 AND RERA/REVENUE/803/2025-26/3504 DATED 15-12-2025 AND 28-10-2025 RESPECTIVELY AND ETC.,

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 Respondents No.1,2,3 and 4 to enforce payment of amounts due from Respondent No.6 by implementing the said orders issued by Respondent No.5 in accordance with the procedure for recovery provided under the provisions of Karnataka Land Revenue Act, 1964 and rules thereunder read along with Read Estate Regulatory Authority Act, 2016 and Rules thereunder, for enforcement and implementation of the directions of Respondent No.5 K-RERA under ANNEXURE-C1-C2 which is revenue recovery certificate bearing no RERA/REVENUE/1149/2025-26/3702 & RERA/REVENUE/803/2025-26/3504 dated 15-12-2025 and 28-10-2025 respectively.*
>
> *B. Grant/Pass/Issue such other and further orders/directions/relief as this Hon'ble Court deems fit and necessary under the facts and circumstances of the case, in the interest of Justice and Equity."*

2. The learned counsel for the petitioners reiterating the grounds has placed reliance on the order of the

Co-ordinate Bench passed in W.P.No.10337/2025, which substantially addresses 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 Certificate, which has 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), has not been enforced by respondent Nos.1 to 4. 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 Certificate is issued by the RERA under Section 40 of 'the Act' and Rule 25 of 'the K-RERA', respondent Nos.1 to 4 are obligated to take

further appropriate steps to recover the amounts mentioned in the Recovery Certificate 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 Certificate has demonstrated their legal right to seek directions at the hands of this Court. Equally, respondent Nos.1 to 4, being a designated Authorities, are obligated to enforce the Recovery Certificate obtained by the petitioners. Therefore, this Court proceeds to pass the following;

ORDER

(i) The writ petition is allowed.

(ii) A mandamus is issued directing respondent Nos.1 to 4 to execute the Recovery Certificate at Annexures-C1 and C2 and recover the amount within a period of

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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

HDK
List No.: 1 Sl No.: 16

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