



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 16TH DAY OF FEBRUARY, 2026
BEFORE
THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ
WRIT PETITION NO. 4994 OF 2026 (LB-RES)

BETWEEN:

1. SRI ODESHA RAJ URS
S/O CHIKKALINGARAJA URS
AGED ABOUT 57 YEARS
R/AT NO. 1054/3, SUBHASH NAGAR
KRISHNARAJAPETE
MANDYA DISTRICT-571426.
SHOP NO.8
2. SMT. SUSHEELAMMA
W/O RAJU
AGED ABOUT 65 YEARS
R/AT NO. 17, HOSAHOLALU ROAD
NEW HLBC COLONY, K.R. PETE TOWN
MANDYA DISTRICT-571 426.
SHOP NO. 11
3. SRI. AHAMAD PASHA
S/O ISMAIL SAB
AGED ABOUT 68 YEARS
R/AT NO. 2363, BASAVANAGUDI STREET,
KRISHNARAJAPETE
MANDYA DISTRICT-571 426.
SHOP NO. 10
4. SRI. JAMSHED PASHA
S/O AMEER SAB
AGED ABOUT 68 YEARS
R/AT NO. 3349/A, OPP. KALEGOWDA SOCIETY,
HEMAVATHI EXTENSION
KRISHNARAJAPETE
MANDYA DISTRICT-571 426.
SHOP NO. 18
5. SRI. K.SRINIVASA
S/O LATE SHANKARAPPA
AGED ABOUT 50 YEARS





R/AT WARD NO. 3, OLD MYSORE ROAD
OPP.TO KRISHNARAJENDRA COLLEGE ROAD,
THAMMANNA GOWDA NAGARA, K.R. PETE
MANDYA DISTRICT-571 426.
SHOP NO. 23

6. SRI. K.T. PUTTARAJU
S/O K.N. THAMMAIAH
AGED ABOUT 56 YEARS
R/AT BEHIND ESHWARA TEMPLE
KRISHNARAJAPET
MANDYA DISTRICT-571 426.
SHOP NO.5
7. SRI.PAPANNA
S/O LATE BETTAIAH
AGED ABOUT 58 YEARS
SALOON
R/AT BASAVESHWARA NAGARA
NEW KIKKERI ROAD, K.R. PETE TALUK
MANDYA DISTRICT-571 426.
SHOP NO. 21
8. SRI. RAJU. K.P.
S/O PAPANNA
AGED ABOUT 67 YEARS
R/AT NO. 385, WARD NO. 17
BASAVESHWARA NAGARA
KASABA HOBLI, KRISHNARAJAPET,
MANDYA DISTRICT-571 426.
SHOP NO. 9
9. SRI. K.N. CHANDRASHEKAR
S/O LATE K.B. NANJUNDAPPA
AGED ABOUT 63 YEARS
R/AT NO. 219, S.B. ROAD,
KRISHNARAJAPETE,
MANDYA DISTRICT-571 426.
SHOP NO. 12
10. SRI. K.T. GOVINDARAJU
S/O LATE THIMMA DASAIAH
AGED ABOUT 67 YEARS
R/AT NO. 920, SUBHASH NAGARA
KRISHNARAJAPETE TALUK
MANDYA DISTRICT-571 426.



SHOP NO. 17

11. SRI. PRAVEENA
S/O LATE MANJUNATHA
AGED ABOUT 32 YEARS
R/AT NO. 195, BASAVANAGUDI STREET
NEAR WATER TANK, K.R. PET
K.R. PET TALUK
MANDYA DISTRICT-571 426.
SHOP NO.3
12. SMT.KAMALAMMA
W/O GOVINDARAJU
AGED ABOUT 70 YEARS
R/AT NO. 2599, NEAR GANAPATHI PARK,
HEMAVATHIBADAVANE, KRISHNARAJAPETE
MANDYA DISTRICT-571 426.
SHOP NO.6
13. SRI. YOGESH. R
S/O RAMAIAH
AGED ABOUT 50 YEARS
R/AT OCHANAHALLI VILLAGE
MURUKANAHALLI POST, KRISHNARAJPET TALUK,
MANDYA DISTRICT-571 426.
SHOP NO.7
14. SRI. JEEVAN KUMAR RAO
S/O YESHWANTHA RAO
AGED ABOUT 58 YEARS
R/AT WARD NO. 5, SUBHASH NAGARA,
K.R. PETE TOWN,
MANDYA DISTRICT-517 426.
SHOP NO. 14
15. SMT. GIRIJAMMANI
W/O R. KRISHNA
AGED ABOUT 50 YEARS
RESIDING AT BASAVESHWARA NAGARA
HOSAKIKKERI ROAD, KRISHNARAJAPETE,
MANDA DISTRICT-571426.
SHOP NO. 15
16. SRI. NAZIM PASHA
S/O GOUSE PASHA
AGED ABOUT 39 YEARS



R/AT BASAVESHWARA NAGARA
KRISHNARAJAPETE,
MANDYA DISTRICT-571426.
SHOP NO. 16

17. SRI. RAJU
S/O LATE BASAPPA
AGED ABOUT 72 YEARS
R/AT MANJUNATHANILAYA,
HEMAVATHIBADAVANE, K.R. PETE
K.R. PETE TALUK
MANDYA DISTRICT-571426.
SHOP NO. 19
18. SRI. KRISHNAMURTHY
S/O BYATAPPA @ BETTAPPA
AGED ABOUT 52 YEARS
R/AT BEHIND JUNIOR COLLEGE
JAYANAGARABADAVANE, KRISHNARAJAPETE,
MANDYA DISTRICT-571 426.
SHOP NO. 24
19. SRI. C. DINESH
S/O CHANDRASHEKARA
AGED ABOUT 36 YEARS
R/AT AMBEDKAR NAGARA,
KRISHNARAJAPETE
MANDYA DISTRICT-571 426.
SHOP NO. 25
20. SMT. VARALAKSHMI
W/O LATE KRISHNA.K.R.
AGED ABOUT 52 YEARS
R/AT BEHIND BASAVANAGUDI
KRISHNARAJAPETE TOWN
MANDYA DISTRICT-571 426.
SHOP NO. 27.
21. SMT. PADMAVATHI G.B
W/O S.K PRABHAKAR
AGED ABOUT 50 YEARS
R/AT JAYANAGARA LAYOUT,
KRISHNARAJAPETE,
MANDYA DISTRICT-571 426
SHOP NO. 02



22. SRI. A.N CHANDREGOWDA
S/O A.N. NINGEGOWDA
AGED ABOUT 75 YEARS
R/AT K.R PETE TALUK,
BOOKANAKEREHOBLI,
ARALAKUPPE VILLAGE, VITTALAPURA
K.R PETE, MANDYA-571 426
SHOP NO. 04.
23. SRI. NANDEESHA
S/O BOLARIGOWDA
AGED ABOUT 45 YEARS
R/AT NO 2960, OPP. PRAGATI CONVENT
OLD MYSORE ROAD, KRISHNARAJAPETE
MANDYA DISTRICT-571 426.
SHOP NO. 13
24. SRI. K.S. SANTHOSH KUMAR
S/O LATE K.T.SOMASUNDAR
AGED ABOUT 49 YEARS
R/AT HOSAKIKKERI ROAD
VIJAYA NIVASA, BASAVESHWARA NAGARA
KRISHNARAJAPETE
MANDYA DISTRICT- 574 126
SHOP NO. 22

...PETITIONERS

(BY SRI. KASHINATH J D.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
DEPARTMENT OF URBAN DEVELOPMENT
MUNICIPAL ADMINISTRATION
VIKASASOUDHA, DR. B.R. AMBEDKAR VEEDHI,
BENGALURU-560 001.
REP. BY ITS SECRETARY
2. THE DEPUTY COMMISSIONER
MANDYA DISTRICT,
MANDYA-571 426
3. THE CHIEF OFFICER
TOWN MUNICIPAL COUNCIL
KRISHNARAJAPETE
MANDYA DISTRICT-571 426.



4. THE ADMINISTRATIVE OFFICER
TOWN MUNICIPAL COUNCIL,
KRISHNARAJAPETE,
MANDYA DISTRICT-571 426.

...RESPONDENTS

(BY SRI.BOPPANNA BELLİYAPPA., AGA FOR R-1 & R-2;
SRI.G.M.ANAND.,ADVOCATE FOR R-3 & R-4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR RECORDS PERTAINS TO COMMERCIAL SHOPS PUBLIC E-AUCTION PUBLICATION BEARING NO. PU.KA.KRU/KAM/SHA/E-AUCTION/01/2025-26 DATED 19.01.2026 ISSUED BY RESPONDENT NO.3.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Learned AGA accepts notice for respondents No.1 and 2.
2. Sri.G.M.Ananda., learned counsel is directed to accept notice for respondent No.3 and 4.
3. The Petitioner is before this Court seeking for the following reliefs;
 - i) *Call for records pertains to Commercial Shops Public E-auction publication bearing No. Pu.Ka.Kru/Kam/Sha/E-Auction/01/2025-26 dated: 19.01.2026 issued by respondent no.3.*
 - ii) *Issue writ in the nature of certiorari to quash the Commercial Shops Public E-auction publication*



bearing No. Pu.Ka.Kru/Kam/Sha/E-Auction/01/2025-26 dated: 19.01.2026 issued by respondent no.3 as per Annexure-A as illegal bad in law. in so fear of petitioners concerned.

iii) Pass any appropriate order deems fit to the facts and circumstances of the case and to meet the interest of justice.

4. The grievance of the petitioner is that the petitioners being the tenants of various shops in Kuvempu Commercial Shopping Complex at K.R.Pet, the respondents are now proposing to auction the said commercial shops by way of e-auction and thereafter disposes the petitioner from their respective shops.
5. Merely, because, the petitioners are tenants as regard the commercial shop, they cannot continue to be using the said premises after the expiry of the lease. In terms of the guidelines issued in the year 2019, it is but required for the TMCs to deal with the public properties by way of public auction and during that stage, a existing tenant has an option to participate in the auction and if successful to continue to retain the possession by making payment



in terms of the auction notification. In the event of the existing tenant not being successful, possession would have to be handed over within a reasonable period of time.

6. The tenant also has another option of exercising Right to First Refusal by choosing not to participate in the auction and making payment of 5% over and above the highest amount bid at the said auction.
7. Again, needless to say, if the said Right to First Refusal is not exercised within time period prescribed under guidelines, then the tenant would be required to hand over the possession of the premises within 30 days of such auction being held.
8. Faced with the above situation, learned counsel for the petitioner on instructions, submit that the petitioner would exercise their Right to First Refusal and they would not participate in the auction.
9. In that view of the matter, I pass the following;



ORDER

- i. The writ petition is ***disposed of***.
- ii. Liberty is reserved to the petitioners to excise their Right to First Refusal, post the e-auction being held on 18.02.2026 and make their offer in terms of guidelines within time frames stipulated therein.
- iii. If no such offer is made by the petitioner, the respondent would be free to take such action for eviction of the petitioner as may be permissible under law after the expiry of 30 days from the date of auction being held.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**

SR
List No.: 2 Sl No.: 25