

HC: Landowner, developer can't block layout access

'Goes Against Sanctioned Plan Condition'

TIMES NEWS NETWORK

Bengaluru: The landowner or the developer of a layout will have no right whatsoever over the roads and public amenity spaces in the property after relinquishing it, the high court said.

A division bench comprising Chief Justice Prasanna B Varale and Justice Krishna S Dixit made this observation while dismissing the writ appeal filed by Pabba Reddy Kodandarami Reddy, a landowner from Bellandur in Bengaluru.

The division bench pointed out that one of the conditions in the plan sanctioned for the landowner to develop the layout specifically said

The appellant is the owner of 12 acres of land at Indlabele village, Attibele hobli, Anekal taluk



that he cannot restrict access to structures in neighbouring lands and hence, the appeal is devoid of merit.

The appellant is the owner of about 12 acres of land in Indlabele village, Attibele hobli, Anekal taluk. After obtaining permission for change of land use, he made an application to the jurisdictional Satellite Ring Road Planning Authority seeking provisional approval for forming a residential layout. A temporary approval letter was issued by the authority on March 14, 2022.

However, Upakar Residences Pvt Ltd, which had formed a layout on an adjacent land of 14 acres and 24 guntas, filed a petition complaining that Kodandarami Reddy had built a compound wall which was preventing them from accessing and exiting their property. Police have not taken any action in the matter, the petitioner alleged.

On November 29, 2022, a single bench observed that Kodandarami Reddy does not have the right to cause inconvenience to the occupants of the neighbouring layout.

Appealing against the single bench order, Kodandarami Reddy claimed that he had sought the cancellation of the provisional layout approval letter issued by the authorities for Upakar Residences as it was illegal. He argued that since the matter between them is pending consideration before the civil court, Upakar's petition itself was not maintainable.