



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF MARCH, 2025

PRESENT

THE HON'BLE MR N. V. ANJARIA, CHIEF JUSTICE

AND

THE HON'BLE MR JUSTICE K. V. ARAVIND

WRIT PETITION NO. 8783 OF 2025 (GM-RES-PIL)

BETWEEN:

1. MR. SABEER
S/O. AZEEZ ULLAH
AGED ABOUT 45 YEARS,
RESIDING AT NO.1,
SULTANJI GUNTA ROAD
SHIVAJINAGAR, HKP ROAD
BANGALORE - 560 051.
2. MR. SYED NASEER AHMED
S/O. SYED NAZEER AHMED,
No.37, 2ND MAIN, 1ST CROSS,
DINNUR MAIN ROAD,
R. T. NAGAR, BANGALORE - 560 032.
3. MRS. FAIZUNNISA
W/O. M.S. FAROOQ
RESIDING AT NO.21/2,
LAL MASJID, UBU STREET,
BROADWAY, H.K.P. ROAD,
SHIVAJINAGAR, BANGALORE - 560 051.
4. MR. AYUB SHARIFF
S/O. AHMED SHARIFF
RESIDING AT NO.E499/3,
GOVINDAPURA, YELAHANKA,
BANGALORE - 560 045.





5. MRS. SHAKHEELA KHANUM
W/O. NAYAZ KHAN
RESIDING AT NO.73, 5TH CROSS,
ANJANADRI LAYOUT, THANISANDRA,
DR. SHIVARAMA KARANATH NAGAR POST,
BANGALORE - 560 077.
6. B.R. NOORUDDIN QURESHI
S/O. B. A. ABDUL RAZZACK QURESHI,
AGED ABOUT 35 YEARS,
RESIDING AT NO.21M NO.
4TH STREET, SLAUGHTER HOUSE
ROAD, SHIVAJINAGAR,
BANGALORE - 560 051.
7. CHOWDHARY IMTIAZ AHMED
S/O. ABDUL WAHAB,
AGED ABOUT 50 YEARS,
RESIDING AT NO.6, 3RD STREET.
NEW MARKET ROAD, SHIVAJINAGAR
BANGALORE - 560 051.
8. ELAHI BAKSH
S/O. MOHAMMED ALI,
AGED ABOUT 42 YEARS,
RESIDING AT NO.15,
1ST CROSS, SHIVAJINAGAR,
BANGALORE - 560 051.
9. ALI BABU
S/O. ALI BASHA
AGED ABOUT 45 YEARS
RESIDING AT NO.14A,
COOKS ROAD STREET,
NEHRUPURAM, SHIVAJINAGAR
BANGALORE - 560 001.
10. ABEDA BEGUM
No.2, 1ST STREET, SHIVAJINAGAR
BANGALORE NORTH, K.P. ROAD,
BENGALURU - 560 051.

(BY SRI ABDUL MAJID, ADVOCATE)

...PETITIONERS



AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS CHIEF SECRETARY
VIDHANA SOUDHA, BENGALURU - 560 001.
2. THE COMMISSIONER,
BRUHAT BENGALURU MAHANAGARA
PALIKE (BBMP),
(BBMP ADDRESS),
BENGALURU - 560 001.
3. THE POLICE COMMISSIONER,
BENGALURU CITY POLICE,
(POLICE COMMISSIONER ADDRESS),
BENGALURU - 560 001.
4. PRINCIPAL SECRETARY TO GOVERNMENT,
HEALTH AND FAMILY WELFARE
DEPARTMENT AROGYA SOUDHA,
6TH FLOOR MAGADI ROAD,
BENGALURU - 560 023.
5. BBMP HEALTH DEPARTMENT
NR SQUARE, BENGALURU,
KARNATAKA - 560 002.
6. THE ASSISTANT EXECUTIVE ENGINEER
OF BESCOM OFFICE,
SAS ROAD, PEENYA,
BENGALURU, KARNATAKA - 560 058.
7. BESCOM ASSISTANT ENGINEER
NEAR DEVEGOWDA PETROL BUNK,
30TH MAIN ROAD, BANASHANKARI STAGE 2,
BENGALURU, KARNATAKA - 560 070.
8. BHARTINAGAR POLICE STATION
ST. JOHN'S CHURCH ROAD,
NEAR MARK CIRCLE,
THOMAS CAFE,
OPPOSITE ST. XAVIER CHURCH,
BHARATHI NAGAR, BANGALORE - 560 005.



9. SHIVAJI NAGAR POLICE STATION
XJQ3+4FJ, SULTHANGUNTA,
SHIVAJI NAGAR, BENGALURU - 560 051.
NO.1/A, INFANTRY ROAD, (NEAR LADIES CLUB),
BANGALORE - 560 001.
NO.1, CID ANNEXE BUILDING,
CARLTON HOUSE, PALACE ROAD,
BANGALORE - 560 001.
10. MEDICAL HEALTH OFFICER
BBMP, OPP. SHIVAJI NAGAR
POLICE STATION
BANGALORE - 560 051, KARNATAKA.
11. COMMERCIAL STREET PS
NO.67, COMMERCIAL STREET,
TASKER TOWN, SHIVAJI NAGAR,
BENGALURU, KARNATAKA - 560 001.
12. KARNATAKA STATE POLLUTION
CONTROL BOARD
PARISARA BHAVAN, 49, CHURCH STREET,
HARIDIEVPUR, SHANTANA NAGAR,
ASHOK NAGAR,
BENGALURU, KARNATAKA - 560 001.
13. RAVI KUMAR
TRAFFIC CIRCLE INSPECTOR
LOCATED AT CUBBON PARK
TRAFFIC POLICE STATION
RUSSELL MARKET, 99,
BROADWAY RD, BHARATI NAGAR,
SHIVAJI NAGAR, BENGALURU,
KARNATAKA 560 051.
14. SRI RIZWAN ARSHAD
OFFICE OF MLA
SHIVAJINAGAR
ASSEMBLY CONSTITUENCY.

...RESPONDENTS

(BY SMT. NILOUFER AKBAR, AGA)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT ORDER OR DIRECTION DIRECTING THE RESPONDENT No-2 TO 13 AND TO TAKE IMMEDIATE AND EFFECTIVE STEPS TO REMOVE ALL UNAUTHORIZED ROADSIDE VENDORS AND A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, RESTRAINING THE RESPONDENTS No-1 TO 13 AND ANY OTHER UNAUTHORIZED ROADSIDE VENDORS FROM CONDUCTING THEIR BUSINESS ON THE FOOTPATHS AND ROADSIDE OF BHARTINAGAR SHIVAJINAGAR COMMERCIAL STREET, BROADWAY AND ETC.,.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE THE CHIEF JUSTICE MR. JUSTICE
N. V. ANJARIA
and
HON'BLE MR JUSTICE K. V. ARAVIND

ORAL JUDGMENT

(PER: HON'BLE THE CHIEF JUSTICE
MR. JUSTICE N. V. ANJARIA)

The petitioners, in all ten in number, claiming to be public spirited citizens further claiming that they have established an unregistered association for the welfare of the people of the area called Shivajinagar, have filed this petition raising some grievance about encroachment in the public spaces in certain areas of the city of Bengaluru.



2. It was submitted by learned advocate Mr. Abdul Majid for the petitioners that due to congestion, ambulances do not have the free movement and there is total lack of regulation on part of the authorities. It was submitted that the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 are also not complied with.

3. In course of the submissions, it was orally submitted by learned advocate for the petitioners that congestion on the footpaths and on road sides of the Bhartinagar, Shivajinagar, Commercial Street and other areas would become even more congested especially in the month of festival of Ramzan which is currently going on.

4. It was urged that the officials of the corporation and the police personnel should ensure enforcement of the provisions of the Karnataka Municipal Corporations Act, 1976 and the Karnataka Police Act, 1963.

5. The petition is too general in its details to be countenanced for any specific order. In addition thereto, the pleadings are less than sufficient, although the general allegations are made about



encroachment and congestion in the public spaces. In respect of such a vague petition, the court is not inclined to invoke its public interest jurisdiction.

6. However, the oral submission about congestion in traffic movement during the ongoing festival is taken note of. In that context, it is observed that the authorities of the corporation, the municipal authorities, respondent No.3-the Police Commissioner and all other authorities concerned during the Ramzan festival and on all such festive occasions, shall ensure the smooth movement of traffic on the road and on the footpath so as not to adversely affect the vehicular, pedestrian and public movement.

7. With such limited observation, the writ petition is disposed of as not entertained.

**Sd/-
(N. V. ANJARIA)
CHIEF JUSTICE**

**Sd/-
(K. V. ARAVIND)
JUDGE**