



South City Group Housing Apartment Owners' Association

Registered under KAOA: No BNG(U)-JPN/82/2009-10, 1st Floor, Club House, South City, Off Bannerghatta Road, Bangalore 560076

13th May 2026

Ref No.: SUGRUHA/President/2026-27/OS-401/001

Subject: Interim Court Order dated 30th April 2026, by the Hon. High Court of Karnataka in RFA No. 412/2026

Dear Apartment Owners of South City,

Namaskar.

With reference to the interim order dated 30th April 2026 passed by the Honourable High Court of Karnataka in RFA No. 412/2026, the Board of SUGRUHA met on 11th May 2026 (after the Town Hall meeting held on Sunday, 10th May 2026) to consider measures required for facilitating implementation of the directions issued by the Honourable Court and coordination with the Court Appointed Receiver (SCMC) in relation to the proposed elections to the SUGRUHA Board and Office Bearers.

In this regard, it is my privilege to communicate the following:

The steps to be followed to become a member of the appellant Association (SUGRUHA): This is a three-step process:

- **STEP-1:** Apartment owners have to submit to SUGRUHA, along with the necessary one-time charges and Annual subscription charges, all the necessary documents as mandated by KAOA-1972 and the Bye-Laws of SUGRUHA – including Special Power of Attorney (SPA) to nominated volunteers who will act on behalf of the new owners etc.;
- **STEP-2:** SUGRUHA will verify all the submitted documents for completeness as mandated by KAOA-1972 and the Bye-Laws of SUGRUHA – including Special Power of Attorney (SPA) to nominated volunteers who will act on behalf of the new owners. The apartment owner will need to ensure that all forms as mandated have been submitted to SUGRUHA, verified and found to be complete in all respects.
- **STEP-3:** SUGRUHA's lawyer will submit the necessary documents to the competent government authorities and subsequent completion by the competent authorities of all the statutory registration formalities.

The following decisions which were unanimously approved by the Board of SUGRUHA:

1. **Coordination with Court Appointed Receiver:** The President and Secretary of SUGRUHA, with assistance from the Legal Working Group, shall coordinate with the Court Appointed Receiver (SCMC) in relation to scrutiny of membership applications, verification of ownership documents and eligibility under the SUGRUHA Bye-laws, and completion of election-related procedural formalities.



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2. **Membership and Documentation Formalities:** In this regard there are three categories of apartment owners, and they shall complete all membership and documentation formalities as under:
 - i. **Apartment owners who are presently not members of SUGRUHA:** To become a member of SUGRUHA such apartment owners shall need to complete STEP-1, STEP-2 and STEP-3 of the membership process. The appellant Association (SUGRUHA) will as per their Bye-Laws also collect the necessary Annual subscription charges for the FY2026-27.
 - ii. **Apartment owners who have purchased apartments from owners who were members of SUGRUHA:** To regularize their membership, such apartment owners shall need to submit their Sale Deed and other documents mandated by the registered Bye-laws of SUGRUHA and the Karnataka Apartment Ownership Act, 1972 (KAOA). The appellant Association (SUGRUHA) will as per their Bye-Laws collect the necessary one time charges, the components of which are – charges for: issuing duplicate share certificate, transfer of shares fees etc. SUGRUHA will, as per their Bye-Laws, regularize the membership of such an owner. SUGRUHA will as per their Bye-Laws also collect the necessary Annual subscription charges for the FY2026-27.
 - iii. **Apartment owners who are already members of SUGRUHA:** For such apartment owners, the appellant Association (SUGRUHA) will as per their Bye-Laws collect the necessary Annual subscription charges for the FY2026-27.
3. **Eligibility to vote in the elections (be on the voters list) and also stand for elections:** Due to the urgency of the matter, and for the purposes of compliance with the interim directions of the Honourable High Court, and conduct of elections to the appellant Association (SUGRUHA Board and Office bearers), due compliance with all the four points below will be considered as necessary for an owner to participate in the electoral process mandated by the interim order of the Honourable High Court:
 - i. Non-completion of STEP-3 which is submission by SUGRUHA of the received KAOA declaration-related documents, to the appropriate government authorities and completion of statutory registration formalities (with the competent government authorities) shall by itself not be a factor to delay the eligible apartment owners from being included in voters list (eligible for voting) and participating in the elections of the appellant Association (SUGRUHA). Nevertheless, for purposes of full compliance with the interim directions of the Honourable High Court (all owners shall become members of SUGRUHA) and conduct of elections to the appellant Association (SUGRUHA Board and Office bearers), such owners will be required to complete STEP-3 also. This is to complete all the documentation and the statutory registration formalities (with the competent government authorities) as required by KAOA-1972.
 - ii. For the limited purpose of facilitating conduct of elections pursuant to the interim directions of the Honourable High Court, eligible apartment owners may be included in the electoral process after completion of formalities outlined under STEP-1 and STEP-2 (above). The preparation of the voters list and inclusion there-in shall remain subject to:



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- a) Scrutiny, modification/approval by the Court Appointed Receiver (SCMC);
 - b) Verification of ownership and eligibility documents;
 - c) Compliance with the Bye-laws and applicable statutory requirements; and
 - d) Further orders/directions of the Honourable High Court.
- iii. **Existing members in arrears:** As a one-time interim election-related arrangement, existing members in arrears may participate in the election process upon payment of the annual subscription fee for FY 2026-27, without prejudice to SUGRUHA's right to recover past dues, arrears and other charges in accordance with law and the Bye-laws.
 - iv. **New members:** Such members may participate in the election process upon payment of the annual subscription fee for FY 2026-27.
4. **Board and Office bearer positions open for elections:**
- i. For compliance with the aforesaid interim directions of the Honourable Court and to facilitate the Court Appointed Receiver in undertaking the process contemplated therein – ALL Board and Office bearer positions will be made available for elections.
 - ii. The current Board and Office bearers will continue till the next AGM of SUGRUHA as per its Bye-Laws scheduled for August 2026.
 - iii. Based on the outcome of the elections and the final decision of the Honourable Judge, the outgoing Board and Office bearers will welcome the new Board and Office bearers.
5. **Temporary and Interim Nature:** The above measures are temporary administrative arrangements adopted solely for implementation of the interim directions issued by the Honourable High Court in RFA No. 412/2026 and shall not be construed as amendment, waiver or permanent modification of the registered Bye-laws of SUGRUHA. Nor will they:
- i. Extinguish prior dues;
 - ii. Prejudice the SUGRUHA's right to recover arrears;
 - iii. Create any precedent for future elections, or
 - iv. Dilute the disqualification provisions contained in Bye-law 7 except to the limited extent required for implementation of the interim directions of the Honourable High Court.

We invite all owners to join SUGRUHA. Let us give our full cooperation to the Court-appointed Receiver (SCMC) so that the election process may be completed in a fair, transparent, and orderly manner, with full participation from our South City community of apartment owners.

With my regards and pranams, I remain,

Yours very sincerely,

(Shrikrishna G. Kulkarni)