



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT PETITION NO.37709 OF 2025 (LA-RES)

BETWEEN:

SRI MANJU
S/O. HANUMEGOWDA,
AGED ABOUT 52 YEARS,
BIDIRAKERE VILLAGE, KASABA HOBLI,
HASSAN TALUK,
HASSAN DISTRICT- 573 116.

...PETITIONER

(BY SRI. RAJARAMA S., ADVOCATE)

AND:

1. DEPUTY COMMISSIONER
OFFICE AT
DEPUTY COMMISSIONER'S OFFICE BUILDING,
HASSAN-573 116.
2. THE SPECIAL LAND ACQUISITION OFFICER,
HEMAVATHI RESERVOIR PROJECT-2,
OFFICE AT DEPUTY COMMISSIONER'S OFFICE
BUILDING, HASSAN-573 116.

...RESPONDENTS

(BY SRI. RAJKUMAR M., AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN

Digitally signed by
MAHALAKSHMI B M
Location: HIGH
COURT OF
KARNATAKA



THE NATURE OF MANDAMUS DIRECTING THE RESPONDENTS TO CONSIDER AND TO DISPOSE OF THE APPLICATIONS FILED BY THE PETITIONER DATED 02.07.2022, FILED UNDER SECTION 28A(1) OF LAND ACQUISITION ACT, 1894 VIDE ANNEXURE-A, AS EXPEDITIOUSLY AS POSSIBLE IN ACCORDANCE WITH LAW.

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

CORAM: HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

Learned Additional Government Advocate accepts notice for respondents.

The petitioner has approached this Court seeking a writ of mandamus to direct the respondents to consider and dispose of the application dated 02.07.2022 filed under Section 28 A(1) of the Land Acquisition Act, 1894 ('Act' for shot), which is stated to be pending without consideration.



Brief facts:

2. The petitioner claims to be the owner of the land bearing Sy.Nos.39/17 and 39/18 measuring 0.17 guntas situated at Bidarakere Village, Kasaba Hobli, Hassan Taluk. The said land was acquired for the purpose of a ring road project, pursuant to the notifications issued under Sections 4(1) and 6(1) of the Act, and an award was passed.

3. Aggrieved by the quantum of compensation, the petitioner filed an application under Section 28 A(1) of the Act on 02.07.2022, seeking re-determination of compensation on the basis of a Civil Court order passed in L.A.C. No.104/2015, pertaining to lands covered under similar notifications and Village. The grievance of the petitioner is that the said application has remained pending for several years without being considered.

4. Learned counsel for the petitioner submits that the application under Section 28 A(1) of the Act, is



statutorily maintainable. Similarly situated landowners have been granted enhanced compensation based on the Civil Court award. The non-consideration of the application amounts to arbitrary inaction and violation of principles of natural justice.

5. This Court has carefully considered the submission and perused the material on record.

6. The limited grievance of the petitioner is with regard to the non-consideration of the petitioner's application dated 02.07.2022 filed under Section 28 A(1) of the Act. It is well settled that when a statutory authority is vested with the power to consider an application, the same has to be considered within a reasonable time. Since the petitioner seeks only a direction for consideration of the pending application, this Court is of the view that the writ petition can be disposed of with an appropriate direction, without expressing any opinion on the merits of the claim for enhancement.



7. Accordingly, this Court pass the following:

ORDER

- i. The writ petition is ***disposed of***.
- ii. The respondents are directed to consider the petitioner's application dated 02.07.2022 filed under Section 28 A(1) of the Land Acquisition Act, 1894 and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a certified copy of this order.
- iii. All contentions are kept open.

Sd/-

JUSTICE K.S. HEMALEKHA

VS
List No.: 1 Sl No.: 13
CT-SG