



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.37549 OF 2025 (LA-RES)

BETWEEN:

SMT. LAKSHMAMMA
W/O LATE VENKATEGOWDA,
AGED ABOUT 52 YEARS,
HALUVAGILU VILLAGE,
KASABA HOBLI, HASSAN TALUK,
HASSAN DISTRICT-573116.

...PETITIONER

(BY SRI RAJARAMA S., ADVOCATE)

AND:

1. DEPUTY COMMISSIONER,
OFFICE AT DEPUTY COMMISSIONER'S
OFFICE BUILDING,
HASSAN-573116.
2. THE SPECIAL LAND ACQUISITION OFFICER,
HEMAVATHI RESERVOIR PROJECT-2
OFFICE AT DEPUTY COMMISSIONER'S
OFFICE BUILDING,
HASSAN-573116.
3. THE EXECUTIVE ENGINEER,
K.R.D.C.L.
HOLENARASIPURA ROAD EXTENSION,
HASSAN DISTRICT-573116.

...RESPONDENTS

(BY SRI RAJKUMAR M., AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT IN
THE NATURE OF MANDAMUS DIRECTING THE RESPONDENTS TO
CONSIDER AND TO DISPOSE OF THE APPLICATIONS FILED BY THE

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



PETITIONER DATED 21.10.2022, FILED UNDER SECTION 28(A)(1) OF LAND ACQUISITION ACT, 1894 VIDE ANNEXURE-A, 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.

2. The petitioner has approached this Court seeking a writ of mandamus to direct the respondents to consider and dispose of the application dated 21.10.2022 filed under Section 28A(1) of the Land Acquisition Act, 1894, ('LA Act, 1894' for short) which is stated to be pending without consideration for a considerable period of time.

Brief facts:

3. The petitioner is the absolute owner of the land bearing Survey No.102/2 measuring 0.14 guntas situated Haluvagilu Village, Kasaba Hobli, Hassan Taluk and



District. The said land was acquired by the respondents for the purpose of formation of a ring road pursuant to notifications issued under Sections 4 (1) and 6 (1) of the LA Act, 1894, followed by passing of an award.

4. Being aggrieved by the quantum of compensation awarded, the petitioner submitted an application under Section 28A (1) of the LA Act, 1894 on 21.10.2022, seeking re-determination of compensation on basis of an award passed by a Civil Court in respect of a similarly situated lands.

5. Learned counsel for the petitioner submits that the application filed under Section 28A(1) of the LA Act, 1894 on 21.10.2022 is still pending before respondent No.2 without any order being passed and that the respondents be directed to consider her application in accordance with law.

6. Learned counsel appearing for the respondents does not dispute the filing of application dated 21.10.2022



under Section 28A (1) of the LA Act, 1894 and submits that the same would be considered in accordance with law and compliance with the statutory requirements.

7. Having heard the learned counsel appearing for the parties and on perusal of the material placed on record, it is not in dispute that the petitioner has filed an application dated 21.10.2022 under Section 28A (1) of the LA Act, 1894 seeking re-determination of compensation. The grievance of the petitioner is confined to non-consideration of the said application for a considerable length of time. This Court is of the view that when a statutory application is pending before the competent authority, the SLAO is statutorily bound to consider it within a reasonable time in accordance with law.

8. Without expressing any opinion on the merits of the claim made by the petitioner, this Court deems it appropriate to issue a limited direction to the respondents



to consider and dispose of the application filed by the petitioner. 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 21.10.2022 filed under Section 28A (1) of the LA Act, 1894 and pass appropriate orders in accordance with law within four weeks from the date of receipt of a certified copy of this order.

Sd/-

JUSTICE K.S. HEMALEKHA

MBM
List No.: 1 Sl No.: 12