



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. 38242 OF 2025 (LA-KIADB)

BETWEEN:

1. SMT. PARVATHAMMA
W/O DODDA MARIYAPPA,
AGED ABOUT 65 YEARS,
R/AT GOVERNMENT SCHOOL ROAD,
ANGATTA VILLAGE, NANDI HOBLI,
CHIKKABALLAPURA - 562103
2. SMT. KAMALAMMA,
W/O MURTHY,
AGED ABOUT 60 YEARS,
R/AT CHANNAHALLI,
CHIKKAJALA HOBLI,
BENGALURU NORTH,
BENGALURU - 562157
3. SMT. SAVITHRAMMA
W/O SRINIVAS
AGED ABOUT 60 YEARS,
R/AT SHIVARAPATNA,
KOLAR TOWN,
KOLAR - 563130
4. SMT. NARAYANAMMA,
W/O S K RAMAKRISHNAPPA,
AGED ABOUT 67 YEARS,
R/AT SHIVARAPATNA,
KOLAR TOWN, KOLAR - 563130

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



5. SMT. CHIKKAMUNIVERAMMA
W/O HANUMAPPA,
AGED ABOUT 69 YEARS,
R/AT MALIYAPANAHALLI VILLAGE,
VEMGAL HOBLI, KOLAR TALUK,
KOLAR - 560101

(SENIOR CITIZEN BENEFIT NOT CLAIMED)

...PETITIONERS

(BY SRI. UDAY K S.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF COMMERCE
AND INDUSTRIES,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560001.
2. THE KARNATAKA INDUSTRIAL
DEVELOPMENT BOARD
NO.49, 4TH AND 5TH FLOOR,
EAST WING, KANIJA BHAVANA,
RACE COURSE ROAD,
BENGALURU - 560001
REP. BY ITS CHIEF EXECUTIVE OFFICER
3. SPECIAL LAND ACQUISITION OFFICER
THE KARNATAKA INDUSTRIAL
DEVELOPMENT BOARD,
39, SHANTIGRUHA
SCOUTS AND GUIDE BUILDING
4TH FLOOR, PLACE ROAD,
BENGALURU - 560001.



...RESPONDENTS

(BY SRI.RAJKUMAR M, AGA FOR R-1

SRI. VASANTHA, ADVOCATE FOR R-2 AND R-3)

THIS WP IS FILED PRAYING TO ISSUE A WRIT OF CERTIORARI/ORDER OF SIMILAR NATURE, QUASHING THE IMPUGNED GENERAL AWARD 29-03-2025 BEARING NO.KIADB.L.A.Q.1928.2024-25, PASSED BY THE 3RD RESPONDENT AT ANNEXURE-G, IN SO FAR AS PETITIONERS ARE CONCERNED AND ETC.,

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 respondent No.1.

2. Sri. Vasantha, learned counsel accepts notice for respondent Nos.2 and 3.

3. Petitioners are before this Court seeking for the following reliefs:

"i) Issue a Writ of Certiorari/Order of similar nature, quashing the impugned General Award dated 29.03.2025, bearing No.KIADB. LAQ.1928:2024-25,



passed by the 3rd respondent at Annexure-G in so far as petitioners concern only.

ii) Issue a writ of Mandamus/order of similar nature, directing the respondents to consider provide an opportunity to the petitioner as per the provision of 29(2) of the KIAD Act, as prayed for at Annexure-G dated 29.03.2025.

iii) Issue any such writ/order as this Hon'ble Court deems fit to grant in the facts and circumstance of the case, in the interest of justice and equity."

4. Learned counsel on both sides submit that the issue involved in this writ petition is squarely covered by several decisions of this Court.

5. Learned counsel for the petitioners submits that the petitioners are the absolute owner of the land bearing **Sy.No.47/1 measuring 1 acre 7½ guntas and Sy.No.45/5 measuring 10 guntas*, situated at Maliyapanahalli village, Vemgal Hobli, Kolar Taluk. The said land has been acquired by the respondent-State for the benefit of respondent No.2. It is further submitted that the Karnataka Industrial Areas Development Board

**Corrected vide Court order dated 09.01.2026.*



(KIADB) has passed a general award and being aggrieved, the petitioners have approached this Court.

6. Learned counsel for the petitioners further submits that the petitioners are willing to accept compensation by way of a consent award under Section 29(2) of the Karnataka Industrial Areas Development Act, 1966 ('KIAD Act, 1966' for short).

7. Learned counsel for respondent Nos.2 and 3-KIADB submits that if the petitioners are willing to accept the compensation in terms of Section 29(2) of the KIAD Act, 1966, the same will be duly considered by the authority in accordance with law.

8. The submission is placed on record.

9. Under identical circumstances, a Co-Ordinate Bench of this Court in the case of ***Sri V. Rudranagaraju Vs. The State of Karnataka and others***¹ (*V.Rudranagaraju*) had quashed the general award and

¹ W.P. No.22495/2023 D.D. 30.10.2023



directed the respondent-Board to consider the representation of the land owner seeking determination of compensation under a consent award in terms of Section 29 (2) of the KIAD Act and has held as under:

"This writ petition is filed seeking for following reliefs:

- (i) Issue a writ of certiorari quashing the General Award bearing No.KIADB:LAQ No.1203/2022-23 dated 27.12.2022 passed by respondent no.3 in respect of land bearing Sy.no.40/7 measuring 0-12.08 guntas, situated at Hadihosahalli Village, Thyamagoundlu Hobli, Nelamangala Taluk, Bangalore Rural District of petitioner is concerned, which is produced at Annexure-C;*
- (ii) Issue any suitable order, direction or writ in the nature of mandamus directing the respondents herein to consider the case of the petitioner as per Section 29(2) of the KIAD Act and etc.*

2. Sri Omkara Murthy G & Sri M.S. Mohan, learned counsel for petitioner submits that petitioner was absolute owner of land bearing



Sy.no.40/7, measuring of 12.08 guntas situated at Hadihosahalli Village, Thyamagondlu Hobli, Nelamangala Taluk, Bengaluru Rural District, in respect of which respondent - authorities had initiated acquisition proceedings for Multi Modal Logistics Park project.

3. *It was submitted that petitioner had no objection for acquisition of land by respondents - KIADB, but without issuing notice and granting opportunity to petitioner to avail compensation under consent award General Award, was passed. Since compensation under consent award was higher than under General Award, denial was contrary to law.*

4. *It was submitted that under similar circumstances, this Court in W.P.no.22091/2022 disposed of on 30.11.2022, holding such denial as unsustainable, quashed General Award and directed respondents to consider petitioner's representation for passing consent award. Hence sought for passing similar order.*

5. *Sri Yogesh D. Naik, learned AGA for respondent no.1 and Sri P.V. Chandrashekar, learned counsel for respondent nos.2 and 3 submitted that in view of earlier decisions,*



respondent no.3 would consider petitioner's representation if petitioner furnished relevant documents in support of claim over property and sought for disposal of writ petition.

6. *Heard learned counsel and perused writ petition record.*

7. *From above, it is seen that in W.P.no.22091/2022, contention of petitioner therein about failure to provide opportunity to accept compensation under consent award which was higher than under General award was upheld and this Court set aside General Award and directed respondents to consider petitioner's representation for passing consent award. Said decision would squarely apply in this case.*

8. *Accordingly, writ petition is disposed of, impugned General Award No.KIADB:LAQ No.1203/2022-23 dated 27.12.2022 vide Annexure-C passed by respondent no.3, insofar as it relates to petitioner's land in Sy.no.40/7, measuring 12.08 guntas situated at Hadihosahlli Village, Thyamagondlu Hobali, Nelamangala Taluk, Bangalore Rural District, is hereby set aside.*



9. Respondent No.3 - SLAO shall consider petitioner's representation and pass appropriate orders thereon within a period of eight weeks."

(emphasis supplied)

10. Relying upon the decision of **V.Rudranagaraju**, the Co-ordinate Bench of this Court in **Mr. Abdul Aleem and others Vs. The State of Karnataka and others**² (*Abdul Aleem*) has also passed a similar order, directing the respondent-KIADB to consider the request of the landowner for grant of compensation under a consent award in terms of Section 29 (2) of the KIAD Act, 1966. Likewise in the case of **Smt.Rukminamma Vs. State of Karnataka and Others**³ (*Rukminamma*) the Co-Ordinate Bench has taken an identical view. The said position of law is not disputed by either of the parties.

11. In the present case, when the petitioners themselves express willingness to accept compensation under a consent award, there exists no impediment for the

² W.P. No.23799/2025 D.D. 11.08.2025

³ W.P.No.3092/2025 D.D. 05.02.2025



authorities to consider such request. The purpose of Section 29 (2) of the KIAD Act is to facilitate voluntary and amicable settlement of compensation between the parties. Refusal to extend such benefit would defeat the very object of the statute. Accordingly, this Court pass the following:

ORDER

- i) The writ petition is ***allowed***.
- ii) The impugned General Award dated 29.03.2025 passed by respondent No.3 (Annexure-G), insofar as the petitioners schedule property is concerned, is hereby ***quashed***.
- iii) Respondent No.3 is directed to consider the case of the petitioners herein in terms of Section 29(2) of the KIAD Act, 1966, and pass appropriate orders within eight weeks from the date of receipt of a certified copy of this order. Needless to state that, in the event of any dispute, the general award would stand restored.



iv) Respondent No.3 is at liberty to withdraw the amount in deposit before the Competent Court, if any in accordance with law.

Sd/-

JUSTICE K.S. HEMALEKHA

VS

List No.: 1 SI No.: 19