



CNR: KAHC010000552025

NC: 2026:KHC:42616-DB
WA No. 3 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF AUGUST, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

WRIT APPEAL NO. 3 OF 2025 (LA-KIADB)

BETWEEN:

TS INTERSEATS INDIA PRIVATE LIMITED
A COMPANY INCORPORATED UNDER THE
PROVISIONS OF THE COMPANIES ACT, 1956
HAVING ITS OFFICE AND FACTORY AT NO.
49,50,41,54/2, JAKKASANDRA VILLAGE,
NARASAPURA INDUSTRIAL AREA, MALUR TALUK,
KOLAR DISTRICT-563 130 AND
REPRESENTED BY ITS AUTHORISED SIGNATORY
AND DIRECTOR
MRS. PORNPRAPHA PHOLDAHAN,

...APPELLANT

(BY SRI. DHYAN CHINNAPPA., SENIOR ADVOCATE FOR
SRI. B N PRAKASH.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
THROUGH THE SECRETARY,
URBAN DEVELOPMENT DEPARTMENT,
M.S.BUILDING, AMBEDKAR VEEDHI,
BANGALORE -1.
2. KARNATAKA INDUSTRIAL AREAS
DEVELOPMENT BOARD,
GOVERNMENT OF KARNATAKA
UNDERTAKING, 14/3, 2ND FLOOR, R.P.BUILDING,
NRUPATHUNGA ROAD, BANGALORE -1.
THROUGH THE CEO.

Digitally
signed by
MALA K N
Location:
High Court
of Karnataka



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3. THE SPECIAL LAND ACQUISITION OFFICER,
KARNATAKA INDUSTRIAL AREAS
DEVELOPMENT BOARD, 14/3, 2ND FLOOR,
R.P.BUILDING, NRUPATHUNGA ROAD,
BANGALORE -1
THROUGH THE CEO.

...RESPONDENTS

(BY SRI.N BYRE GOWDA.,AGA FPR R1;
SRI.BASAVARAJ V SABARAD., SENIOR ADVOCATE FOR
SRI.H L PRADEEP KUMAR., ADVOCATE FOR R2 & R3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO A) CALL FOR THE RECORDS IN
WP NO.7728/2022 AND B) SET ASIDE THE IMPUGNED ORDER
DATED 23/11/2024 PASSED IN WP NO.7728/2022 BY THE
LEARNED SINGLE JUDGE AND DISMISS THE SAID WRIT
PETITION AND C) AWARD COST OF THE APPEAL AND D) PASS
ANY SUCH OTHER SUITABLE ORDER.

THIS APPEAL, COMING ON FOR FINAL HEARING, THIS
DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
AND
HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present intra Court Writ Appeal has been filed
impugning the judgment and order dated 23.11.2024
passed by the Writ Court in its Writ Petition No.
7728/2022 filed by the appellant - company impugning the
land acquisition proceedings initiated under the provisions



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of the Karnataka Industrial Areas Development Act, 1966 (hereinafter referred to as KIADB Act for short).

2. The total extent of land which is under dispute is 22 acres and 16 guntas in Sy.Nos. 49, 50, 51, 54/1 and 54/2 of Jakkasandra Village, Malur Taluk, Kolar District.

3. The Government had issued preliminary Notification under Section 28(1) of KIADB Act on 13.03.2012. The final Notification under Section 28(4) of KIADB Act was issued on 04.12.2012. The appellant/petitioner-company after issuance of the preliminary Notification had purchased the land from its owners on 04.05.2012. It appears that the appellant/petitioner-company has set-up some industry on a portion of the said land. After final Notification came to be issued and the land got vested in the Government, the petitioner filed the Writ Petition after 10 long years impugning the land acquisition proceedings.



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4. The learned single Judge, vide impugned judgment and order, has disposed of the Writ Petition with following directions:

"In that view of the matter, as the respondent-Karnataka Industrial Area Development Board also initiated acquisition proceedings for the purpose of establishment of industrial unit, in a peculiar circumstances of the case, I feel that, no interference be called at this juncture to quash the impugned notifications dated 13th March, 2012 (Annexure-M) and 04th December, 2012 (Annexure-P) insofar as the subject property is concerned. However, it is open for the petitioner-Company to approach the respondent-Karnataka Industrial Area Development Board to regularise the land in question in favour of the petitioner-Company subject to payment of development/necessary charges. Therefore, the petitioner-Company is directed to make representation to the respondent-Karnataka Industrial Area Development Board in this regard and if such a representation is made by the petitioner-Company within four weeks from the date of receipt of this order, it is open for the respondent-Karnataka Industrial Area Development Board to regularise the land in question, subject to payment of development/necessary charges that may be determined by the respondent-Karnataka Industrial Area Development Board in terms of the Circular/Notifications, if any, under the peculiar circumstances of the case.

13. It is also to be noted that the observation made by this Court in the facts and circumstances of the case cannot be



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*considered as precedent for disposal of any other cases. With these observations, writ petition stands **disposed of.***

5. It is not the case of the petitioner that the petitioner has ever applied to the KIADB for allotment of the land under the provisions of the KIADB Act and Rules maintainable. It is well settled that a person who purchases the land or the property after the preliminary Notification does not have right to challenge the acquisition of the property.

6. Sri. Dhyan Chinnappa, learned Senior Counsel appearing for the appellant/petitioner has placed reliance on two Government Orders of the Government of Karnataka where the Government has taken decision that the KIADB will allot 20 acres of land to the petitioner/appellant -company at Narsapura, Vemagal Industrial Area, Kolar District. This Government Order dated 24.02.2012 was issued before preliminary Notification. Another Government Order came to be issued



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on 09.11.2012 which is after the preliminary Notification but before the Final Notification could be issued on 04.12.2012. In which, it was said that the appellant would be allotted out of 22 acres 16 guntas of land, which mentioned as under:

"PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

Sub: *Amendment to earlier approved project proposal of M/s TS Interseats India Pvt. Ltd, to setup unit for "Manufacturing Two Wheeler Setas and Motorcycles Parts and Accessories" at Narasapura/Vemgal Industrial Area of KIADB, Kolar District-Reg.*

Read: *Government Order No C1 52 SP1 2012, dated: 24.02.2012 2 29 SHLCC meeting held on 06.09.2012*

Preamble:

After careful examination of the proposal from all aspects the Government in its order dated 24-02-2012 has accorded in principle approval for the investment proposal of M/s. TS Interseats India Pvt. Ltd. to set up unit for manufacturing two wheeler seats and motor cycle parts and accessories in 20 acres of land at Narasapura / Vemagal Industrial Area of KIADB, Kolar District, with an investment of Rs. 177.55 crores generating employment to 514 persons.

Company in their letter dated 11.06.2012 had submitted the details of 22.16 acres of Industrial land purchased by the company at Jakkasandra Village, Malur Taluk and requested to issue



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Government Order to set up their project in the land acquired by the company.

In the 29th State High Level Clearance Committee (SHLCC) Meeting held on 06.09.2012, the proposal of the Company was discussed and approved.

Government has examined the recommendations made by the State High Level Clearance Committee in the 29th Meeting held on 06.09.2012, in all aspects.

Hence the following order.

GOVERNMENT ORDER NO. CI 52 SPI 2012, BANGALORE
DATED: 09.11.2012

In continuation of the Government Order read at (2) above, approving the establishment for a unit for "Manufacturing Two Wheeler Seats and Motorcycles Parts and Accessories at Narasapura / Vemgal Industrial Area of KIADB, Kolar District by M/s TS Interscats India Pvt. Ltd., the Government is pleased to accord approval for the following:

a) 22 acres 16 guntas of land owned by the company in Sy. Nos. 49, 50, 51, 54/1, 54/2 at Jakkasandra Village, Malur Taluk shall be in place of 20 acres of land to be allotted by KIADB at Narasapura / Vemagal Industrial Area, Kolar District."

7. Even from the aforesaid two Government Orders it is evident that the petitioner was required to make an application for allotment of the land through KIADB and the KIADB was required to allot the land to the



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extent of 22 acre 16 acres as per the Government Order dated 09.11.2012 after the acquisition proceedings could have been got over, the petitioner in between purchased the land from the persons whose land was under acquisition. We, therefore, find no merit in this appeal, inasmuch as the petitioners' interests have been adequately safeguarded by the Writ Court, by the impugned judgment and Order.

Thus, we dismiss the appeal.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(H.SHANTHI BHUSHAN)
JUDGE**

BVK
List No.: 1 Sl No.: 26